

take up and have placed on its second reading and passage to third reading.

S. B. No. 153, A bill to be entitled "An Act to amend Chapter 179 of the General Laws of the State of Texas passed at the Regular Session of the Thirty-third Legislature, as amended by the Acts of the Regular Session of the Thirty-fifth Legislature, Chapter 103, approved March 28, 1917, by amending Part 1, Section 2, thereof," etc.

The Speaker laid the bill before the House, it was read second time and was passed to third reading.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

H. B. No. 496, "An Act to validate grant of land made by the crown of Spain to the original grantees and their heirs and assigns of Porciones Nos. 29, 30, 31, 33, 34, 36, 37, 38, 39, 47, 48, 53, 57 and 58, lying and being situated in Webb county, Texas, and to authorize and require the Commissioner of the General Land Office to issue patents to the original grantees, their heirs or assignees to said Porciones, and declaring an emergency."

S. B. No. 265, "An Act to amend Chapter 85 of the Acts of the Regular Session of the Thirty-third Legislature, entitled 'An Act to provide the mode by which horses, mules, jacks, jennets and cattle, may be prevented from running at large in subdivisions of Harris county,' and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 491, "An Act creating the Three Rivers Independent School District in Live Oak county, Texas; providing for the annexation of territory; providing that the present board of trustees may continue in office until the expiration of their respective terms; validating bond and tax elections heretofore held; placing the said district and trustees under the general law governing independent school districts; placing the district under the direct supervision of the State Superintendent and State Board of Education; authorizing the trustees to select its officers, including its depository; delegating certain powers to these officials; providing for the custody of the funds and school property of the present district; repealing all laws in conflict herewith, and declaring an emergency."

S. B. No. 273, "An Act to amend Sections 1 and 7 of Chapter 13 of the Special Laws of the Twenty-ninth Legislature, creating a more efficient road system for Caldwell county, Texas, making the county commissioners of said county ex-officio road supervisors, prescribing their duties, providing compensation for their services and designating the funds out of which said compensation is to be paid, and requiring that they give bond; providing the length of time road overseers may be worked on the public road, and fixing the compensation which may be paid said overseers for overtime, and declaring an emergency."

ADJOURNMENT.

On motion of Mr. Seagler, the House, at 9:59 o'clock a. m., adjourned until 10 o'clock a. m., Thursday, March 10.

THIRTY-NINTH DAY.

(Thursday, March 10, 1921.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Thomas.

The roll was called and the following members were present:

Adams.	Dinkle.
Aiken.	Duffey.
Barker.	Duncan.
Barrett of Bell.	Edwards.
Barrett of Fannin.	Estes.
Bass.	Faubion.
Beasley	Fly.
of McCulloch.	Fugler.
Beavens.	Garrett.
Black, O. B.,	Greer.
of Bexar.	Grissom.
Black, W. A.,	Hall.
of Bexar.	Hanna.
Bonham.	Hardin.
Brady.	Harrington.
Branch.	Harrison.
Bryant.	Henderson
Burkett.	of McLennan.
Burmeister.	Henderson
Burns.	of Marion.
Carpenter.	Hill.
Coffee.	Horton.
Cox.	Johnson
Crawford.	of Wichita.
Crumpton.	Jones.
Cummins.	Kacir.
Curtis.	Kellis.
Darroch.	King.
Davis, John E.,	Kveton.
of Dallas.	Lackey.
Davis, John,	Laird.
of Dallas.	Lauderdale.

Lawrence.	Satterwhite.
Lindsey.	Schweppe.
Looney.	Seagler.
McCord.	Shearer.
McDaniel.	Sims.
McFarlane.	Sneed.
McKean.	Stevenson.
Malone.	Stewart
Martin.	of Edwards.
Mathes.	Stewart of Reeves.
Melson.	Swann.
Menking.	Sweet of Brown.
Miller of Dallas.	Sweet of Tarrant.
Miller of Parker.	Teer.
Morgan.	Thomas
Moore.	of Limestone.
Morris of Medina.	Thomason.
Morris	Thompson
of Montague.	of Harris.
Mott.	Thompson
Neblett.	of Red River.
Owen.	Thorn.
Patman.	Thrasher.
Perkins	Veatch.
of Cherokee.	Wadley.
Perkins of Lamar.	Walker.
Pollard.	Wallace.
Pope.	Webb.
Quaid.	Wessels.
Quicksall.	West.
Quinn.	Westbrook.
Rice.	Williams
Rogers of Harris.	of McLennan.
Rogers of Shelby.	Williams
Rosser.	of Montgomery.
Rountree.	Wright.
Rowland.	

Absent.

Baker.	Hendricks.
Baldwin.	Johnson
Beasley	of Gillespie.
of Hopkins.	Johnson of Ellis.
Binkley.	Merriman.
Brown.	Pool.
Childers.	Smith.
Chitwood.	

Absent—Excused.

Laney.	Marshall.
Leslie.	Perry.
McLeod.	Stephens.

A quorum was announced present.

Prayer was then offered by Rev. J. T. Hamilton, a former member of the House.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Stephens for today, on motion of Mr. Sims.

Mr. Perry for today, on motion of Mr. Pollard.

HOUSE BILL NO. 361 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 361, A bill to be entitled "An Act to appropriate five million dollars (\$5,000,000) out of the general funds of the State to aid the public schools for the scholastic year beginning September 1, 1921, and ending August 31, 1922, the same to be distributed as the available school fund is now distributed."

The bill was read third time and was passed.

HOUSE BILL NO. 519 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 519, A bill to be entitled "An Act amending Section 25 of Chapter 60 of the General Laws of the Regular Session of the Legislature, as amended and enacted by Chapter 12 of the General Laws of the First Called Session of the Thirty-fifth Legislature, so as to authorize the county commissioners court to appoint a person or persons to administer hog cholera virus without the necessity of obtaining the permission of the Live Stock Sanitary Commission, and declaring an emergency."

The bill was read third time and was passed.

HOUSE BILL NO. 525 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 525, A bill to be entitled "An Act making appropriation for the purchase by the Adjutant General of Texas of fireproof filing cabinets for the storing and preserving of the war records of the soldiers, sailors, marines and nurses of Texas who served in the world war, and declaring an emergency."

The bill was read third time and was passed.

HOUSE BILL NO. 582 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 582, A bill to be entitled "An Act attaching the unorganized county of Cochran to the county of Hockley for judicial purposes; providing that all books, papers, documents, records and property of every kind properly belonging to the county of Cochran and now

in the possession or control of the county of Lubbock, or of any official of Lubbock county, shall be as soon as possible transferred and delivered to the proper officials of Hockley county; providing that all expenses incurred in effecting such transfer shall be borne and paid by the county of Hockley out of its general revenues; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 306 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 306, A bill to be entitled "An Act creating the Stuart Independent School District in Cameron county, Texas, and defining its boundaries; providing for the election of a board of trustees; providing for the selection of a secretary, treasurer, assessor and collector of taxes, and all other necessary officers and committees, and prescribing their qualifications; investing said district with all the rights, powers, etc., of a town or village incorporated under the general laws of the State for free school purposes only, and declaring an emergency."

The bill was read second time and was passed to third reading.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 10, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has refused to concur in House amendments to Senate bill No. 111, and has asked for a Free Conference Committee on same. The following named members of the Senate have been appointed on the part of the Senate:

Senators Witt, Dudley, Dorough, Wood and Bledsoe.

And has passed

S. B. No. 61, A bill to be entitled "An Act reorganizing and adjusting the Fourth and Seventy-first Judicial District of Texas incorporating Gregg county, in the Seventy-first Judicial District and fixing the time of holding court in each of the several counties of said two districts, and providing for proper officers for the administration of said courts."

S. B. No. 254, A bill to be entitled "An Act to amend Article 5655 of the Revised Statutes of 1911, providing for the filing of chattel mortgage and other instruments, and the fee that may be charged therefor."

Respectfully,

A. W. HOLT,

Assistant Secretary of the Senate.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 61, to the Committee on Judicial Districts.

Senate bill No. 254, to the Judiciary Committee.

HOUSE JOINT RESOLUTION NO. 23 ON FINAL PASSAGE.

The Speaker laid before the House, as postponed business, on its final passage,

H. J. R. No. 23, Providing for the amendment to Article III of the Constitution of the State of Texas by adding thereto Section 59, authorizing the State of Texas to appropriate money from the general revenue and issue bonds and to lend its credit for the purpose of constructing and maintaining terminal fire-proof warehouses and grain elevators at the ports of Texas for the storage of the products of the farm, ranch and orchard, and for loading for shipment for water transportation; and authorizing counties adjoining, or any defined district within the State to issue its bonds for the elevator, cold storage and curing plants and any other buildings desirable for the storage and conservation of the products of the farm, ranch and orchard.

The resolution having heretofore been read third time.

Mr. Burmeister offered the following amendment to the resolution:

Amend House Joint Resolution No. 23 by inserting the words "dipping vats" after the word "houses," in line 27 of printed bill.

On motion of Mr. Cox, the amendment was tabled.

Mr. Jones moved the previous question on the resolution and the main question was ordered.

Question recurring on the resolution, yeas and nays were demanded.

The resolution failed to pass by the following vote:

Yeas—89.

Adams.	King.
Aiken.	Kveton.
Baldwin.	Lackey.
Barker.	Laird.
Barrett of Fannin.	Lauderdale.
Beasley	Lindsey.
of Hopkins.	Looney.
Binkley.	McDaniel.
Black, O. B.,	McKean.
of Bexar.	Malone.
Black, W. A.,	Mathes.
of Bexar.	Melson.
Bonham.	Menking.
Brady.	Miller of Dallas.
Branch.	Miller of Parker.
Bryant.	Moore.
Burkett.	Owen.
Burns.	Patman.
Carpenter.	Perkins of Lamar.
Chitwood.	Perry.
Coffee.	Pope.
Cox.	Quicksall.
Crawford.	Quinn.
Crumpton.	Rice.
Cummins.	Rogers of Harris.
Curtis.	Rogers of Shelby.
Darroch.	Rosser.
Davis, John E.,	Rountree.
of Dallas.	Rowland.
Davis, John,	Schweppe.
of Dallas.	Seagler.
Dinkle.	Shearer.
Duffey.	Smith.
Edwards.	Sneed.
Estes.	Stevenson.
Faubion.	Sweet of Brown.
Garrett.	Sweet of Tarrant.
Greer.	Teer.
Grissom.	Thomason.
Hanna.	Thorn.
Harrington.	Thrasher.
Harrison.	Veatch.
Henderson	Wadley.
of Marion.	Wallace.
Horton.	Webb.
Johnson	Wessels.
of Gillespie.	Westbrook.
Kacir.	Wright.

Nays—32.

Barrett of Bell.	McFarlane.
Bass.	Martin.
Beasley	Merriman.
of McCulloch.	Morgan.
Beavens.	Morris of Medina.
Burmeister.	Morris
Duncan.	of Montague.
Fly.	Mott.
Hardin.	Perkins
Henderson	of Cherokee.
of McLennan.	Pool.
Jones.	Quaid.
Kellis.	Sims.
Lawrence.	Stewart
McCord.	of Edwards.

Stewart of Reeves.	West.
Swann.	Williams
Thomas	of McLennan.
of Limestone.	Williams
Thompson	of Montgomery.
of Harris.	

Present—Not Voting.

Neblett.

Absent.

Brown.	Johnson of Ellis.
Fugler.	Pollard.
Hendricks.	Satterwhite.
Hill.	Walker.

Absent—Excused.

Baker.	McLeod.
Laney.	Marshall.
Leslie.	Stephens.

Paired.

Mr. Hall (present), who would vote "yea," with Mr. Johnson of Wichita (absent), who would vote "nay."

Mr. Thompson of Red River (present), who would vote "nay," with Mr. Childers (absent), who would vote "yea."

Reason for Vote.

I vote "nay" for the reason that I am opposed to holding an election in July, 1921.

MARTIN.

MOTION TO TAKE UP SENATE BILL NO. 237.

Mr. Westbrook moved that the regular order of business be suspended to take up and have placed on its second reading and passage to third reading, Senate bill No. 237.

Yeas and nays were demanded, and the motion was lost by the following vote:

Yeas—68.

Mr. Speaker.	Cummins.
Adams.	Curtis.
Aiken.	Darroch.
Baldwin.	Davis, John E.,
Barker.	of Dallas.
Barrett of Bell.	Davis, John,
Barrett of Fannin.	of Dallas.
Beasley	Duffey.
of Hopkins.	Duncan.
Beasley	Estes.
of McCulloch.	Faubion.
Binkley.	Fugler.
Bonham.	Garrett.
Branch.	Greer.
Bryant.	Grissom.
Chitwood.	Hanna.
Coffee.	Hardin.
Crawford.	Harrington.

Harrison.	Quaid.
Jones.	Quicksall.
King.	Quinn.
Laird.	Rogers of Shelby.
Lauderdale.	Satterwhite.
Looney.	Seagler.
McKean.	Sneed.
Martin.	Stewart of Reeves.
Mathes.	Sweet of Tarrant.
Melson.	Teer.
Morgan.	Thomason.
Moore.	Thorn.
Morris of Medina.	Thrasher.
Morris	Veatch.
of Montague.	Wallace.
Neblett.	Webb.
Owen.	West.
Perkins	Westbrook.
of Cherokee.	Wright.
Pope.	

Nays—52.

Beavens.	Malone.
Black, O. B.,	Menking.
of Bexar.	Merriman.
Black, W. A.,	Miller of Dallas.
of Bexar.	Miller of Parker.
Brady.	Mott.
Burkett.	Perkins of Lamar.
Burmeister.	Pollard.
Burns.	Pool.
Carpenter.	Rice.
Crumpton.	Rogers of Harris.
Dinkle.	Rosser.
Edwards.	Rowland.
Fly.	Schweppe.
Hall.	Shearer.
Henderson	Sims.
of McLennan.	Smith.
Henderson	Stewart
of Marion.	of Edwards.
Johnson	Swann.
of Gillespie.	Sweet of Brown.
Johnson	Thomas
of Wichita.	of Limestone.
Kacir.	Thompson
Keilis.	of Harris.
Kveton.	Thompson
Lackey.	of Red River.
Lindsey.	Walker.
McCord.	Wessels.
McDaniel.	Williams
McFarlane.	of Montgomery.

Absent.

Bass.	Lawrence.
Brown.	Patman.
Cox.	Rountree.
Hendricks.	Stevenson.
Hill.	Wadley.
Horton.	Williams
Johnson of Ellis.	of McLennan.

Absent—Excused.

Baker.	McLeod.
Childers.	Marshall.
Laney.	Perry.
Leslie.	Stephens.

SENATE BILL NO. 41 ON SECOND READING.

On motion of Mr. Mott, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading.

S. B. No. 41, A bill to be entitled "An Act to repeal Chapter 160 of the Acts of the Regular Session of the Thirty-sixth Legislature, approved April 3, 1919, the same being 'An Act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including the fixing of a minimum wage; providing for an appropriation therefor and fixing penalties for violating this act, etc., and declaring an emergency.'"

The Speaker laid the bill before the House, it was read second time, and was passed to third reading.

SENATE BILL NO. 166 ON SECOND READING.

On motion of Mr. Shearer, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading.

S. B. No. 166, A bill to be entitled "An Act to establish a Texas Industrial School and Workshop for the adult blind of the State; providing for a board to locate such institution and to manage its affairs; providing for an appropriation, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time, and was passed to third reading.

SENATE BILL NO. 312 ON SECOND READING.

On motion of Mr. Rowland, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading.

S. B. No. 312, A bill to be entitled "An Act to amend Article 1096d, Title 22, Chapter 17, Acts of 1913, relating to the Home Rule Act, conferring powers on cities having more than five thousand inhabitants, and by adding thereto the hereinafter powers upon such cities, to regulate the location, size, height, bulk and use of buildings within certain zones or districts, and to divide such cities into zones or districts, and to prescribe building lines and to authorize the creation of a board of review or appeals as may be deemed advisable in any charter adopted by any such city under the home rule provision of the Constitution."

The Speaker laid the bill before the

House, it was read second time, and was passed to third reading.

SENATE BILL NO. 264 ON SECOND READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 264, A bill to be entitled "An Act to amend Article 6278 of Chapter 2 of Title 105 of the Revised Civil Statutes of the State of Texas of 1911, denying payment of pensions to those otherwise entitled to same while inmates of the Texas Confederate Home or while confined in any of the asylums of this State, at the expense of the State, or while confined in the State penitentiary to satisfy a judgment of conviction, so as to provide that inmates of the Confederate Home and inmates of the Confederate Woman's Home shall be entitled to receive pension payments equal to one-half the amount they would be entitled to receive if they were not inmates of such home, and declaring an emergency."

The bill was read second time and was passed to third reading.

MOTION TO TAKE UP SENATE BILL NO. 122.

Mr. Kveton moved to suspend the regular order of business to take up and have placed on its second reading and passage to third reading, Senate bill No. 122.

Yeas and nays were demanded, and the motion was lost by the following vote:

Yeas—62.

Barrett of Fannin.	Henderson
Beavens.	of McLennan.
Black, O. B.,	Horton.
of Bexar.	Johnson
Black, W. A.,	of Gillespie.
of Bexar.	Johnson
Brady.	of Wichita.
Burkett.	Kacir.
Burmeister.	Kveton.
Carpenter.	Lackey.
Coffee.	Lauderdale.
Cox.	Lindsey.
Cummins.	Looney.
Darroch.	McDaniel.
Duncan.	McFarlane.
Edwards.	McKean.
Fly.	Malone.
Fugler.	Martin.
Greer.	Mathes.
Hanna.	Menking.
Hardin.	Merriman.
Harrison.	Miller of Dallas.

Miller of Parker.	Stewart
Mott.	of Edwards.
Patman.	Thomas
Perry.	of Limestone.
Pollard.	Thomason.
Pool.	Thompson
Pope.	of Harris.
Rogers of Harris.	Thompson
Rountree.	of Red River.
Satterwhite.	Walker.
Schweppe.	Webb.
Sims.	Wessels.
Smith.	Williams
Stevenson.	of McLennan.

Nays—56.

Adams.	Kellis.
Aiken.	King.
Baldwin.	Laird.
Barker.	Lawrence.
Barrett of Bell.	McCord.
Bass.	Melson.
Beasley	Moore.
of Hopkins.	Morris of Medina.
Beasley	Morris
of McCulloch.	of Montague.
Binkley.	Owen.
Bonham.	Perkins
Branch.	of Cherokee.
Bryant.	Quicksall.
Burns.	Rice.
Chitwood.	Rogers of Shelby.
Crawford.	Rosser.
Crumpton.	Seagler.
Curtis.	Shearer.
Davis, John E.,	Stewart of Reeves.
of Dallas.	Swann.
Davis, John,	Sweet of Brown.
of Dallas.	Sweet of Tarrant.
Dinkle.	Teer.
Duffey.	Thorn.
Estes.	Thrasher.
Faubion.	Veatch.
Garrett.	Wadley.
Hall.	Wallace.
Harrington.	Westbrook.
Henderson	Williams
of Marion.	of Montgomery.

Present—Not Voting.

Grissom.

Absent.

Brown.	Perkins of Lamar.
Hendricks.	Quaid.
Hill.	Quinn.
Johnson of Ellis.	Rowland.
Jones.	Sneed.
Morgan.	West.
Neblett.	Wright.

Absent—Excused.

Baker.	McLeod.
Childers.	Marshall.
Laney.	Stephens.
Leslie.	

BILLS ORDERED NOT PRINTED.

On motion of Mr. Stewart of Reeves, it was ordered that Senate bill No. 210 be not printed.

On motion of Mr. Rosser, it was ordered that Senate bill No. 61 be not printed.

On motion of Mr. Branch, it was ordered that Senate bill No. 282 be not printed.

SENATE BILL NO. 117 ON SECOND READING.

On motion of Mr. Looney, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading.

S. B. No. 117, A bill to be entitled "An Act to provide for the extension of time in which to develop oil and gas under permits heretofore issued under the Mineral Act of 1917 upon islands, salt water lakes, bays, inlets, marshes and reefs owned by the State of Texas within tide water limits and that portion of the Gulf of Mexico within the jurisdiction of Texas."

The Speaker laid the bill before the House, it was read second time and was passed to third reading.

RELATING TO CONSIDERATION OF SENATE BILLS.

Mr. Miller of Dallas offered the following resolution:

H. C. R. No. 39, Relating to consideration of Senate bills.

In order that Senate bills that have been engrossed in the House may have time for final passage:

Be it resolved, That Section 11, Joint Rules of the two houses, by permission and concurrence of the Senate, be suspended from 12 o'clock noon, Friday, March 11, to 12 o'clock midnight, March 11, and the House and Senate may consider and act upon bills of their respective houses which are upon final passage until 12 o'clock midnight, March 11, 1921.

The resolution was read second time and was adopted.

SENATE BILL NO. 84 ON PASSAGE TO THIRD READING.

Mr. Williams of McLennan called up, for consideration at this time, the motion to reconsider the vote by which the House on Thursday, February 17, failed to pass Senate bill No. 84 to third reading, which motion to reconsider was, on that day, spread on the

Journal and due notice having been given that the motion to reconsider would be called up for consideration today.

Question recurring on the motion to reconsider, it was lost.

SENATE BILL NO. 82 ON SECOND READING.

On motion of Mr. Miller of Parker, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading.

S. B. No. 82, A bill to be entitled "An Act to amend Article 4621, Chapter 3, Title 68, of the Revised Statutes of Texas of 1911, as amended by Chapter 194, Section 1, of the Acts of the Regular Session of the Thirty-fifth Legislature, by providing that the separate property of the husband shall not be subject to torts of the wife, and the separate property of the wife shall not be subject to the torts of the husband, and the community property of the husband and wife shall not be subject to the torts of the wife, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Jones moved the previous question on the passage of the bill to third reading, and the main question was ordered.

Senate bill No. 82 was passed to third reading.

SENATE BILL NO. 282 ON SECOND READING.

On motion of Mr. Branch, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading.

S. B. No. 282, A bill to be entitled "An Act to amend Article 4459, Chapter 6, Title 65, Revised Civil Statutes of the State of Texas of 1911, relative to dangerous diseases and insect pests that depredate upon fruit trees and nursery stock; prescribing methods of dealing with such diseases and insect pests and adding to such list of diseases and insect pests the words citrus canker, plum canker, fire blight, Florida red scale, cottony cushion scale, and woolly aphis, declaring all fruit trees and nursery stock infected or infested with any disease or insect pest mentioned herein a public nuisance, and providing for the treatment and destruction of all fruit trees and nursery

stock found to be so infected or infested, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to third reading.

SENATE BILL NO. 79 ON SECOND READING.

On motion of Mr. Hall, the regular order of business was suspended, to take up and have placed on its second reading and passage to third reading, S. B. No. 79, A bill to be entitled "An Act to provide for the examination and certification of professional engineers and architects and to regulate the practice of engineering and architecture."

The Speaker laid the bill before the House, and it was read second time.

Mr. Morris of Medina moved the previous question on the passage of the bill to third reading, and the motion was duly seconded.

Question recurring on the motion for the previous question, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—63.

Adams.	Jones.
Baldwin.	Lackey.
Barker.	Laird.
Barrett of Fannin.	Lindsey.
Beasley	Looney.
of Hopkins.	McFarlane.
Beasley	Malone.
of McCulloch.	Mathes.
Binkley.	Melson.
Black, O. B.,	Merriman.
of Bexar.	Miller of Dallas.
Black, W. A.,	Morgan.
of Bexar.	Morris of Medina.
Bonham.	Morris
Brady.	of Montague.
Branch.	Mott.
Burmeister.	Neblett.
Coffee.	Perry.
Cummins.	Pollard.
Curtis.	Pool.
Duffey.	Quaid.
Duncan.	Quicksall.
Estes.	Rice.
Faubion.	Rogers of Harris.
Fugler.	Schweppe.
Garrett.	Seagler.
Greer.	Shearer.
Hall.	Sims.
Harrison.	Smith.
Hill.	Sneed.
Horton.	Sweet of Tarrant.
Johnson	Teer.
of Gillespie.	Thomason.
Johnson	Thrasher.
of Wichita.	Westbrook.

Nays—42.

Aiken.	Martin.
Bryant.	Miller of Parker.
Burkett.	Moore.
Burns.	Patman.
Chitwood.	Perkins
Cox.	of Cherokee.
Crumpton.	Rogers of Shelby.
Darroch.	Rosser.
Davis, John,	Satterwhite.
of Dallas.	Stevenson.
Dinkle.	Stewart
Fly.	of Edwards.
Hardin.	Swann.
Harrington.	Sweet of Brown.
Henderson.	Thomas
of McLennan.	of Limestone.
Henderson	Thompson
of Marion.	of Harris.
Kacir.	Thompson
Kellis.	of Red River.
King.	Wessels.
Lauderdale.	Williams
Lawrence.	of McLennan.
McCord.	Williams
McDaniel.	of Montgomery.
McKean.	Wright.

Present—Not Voting.

Davis, John E.,	Thorn.
of Dallas.	Veatch.

Absent.

Barrett of Bell.	Owen.
Bass.	Perkins of Lamar.
Beavens.	Pope.
Brown.	Quinn.
Carpenter.	Rountree.
Crawford.	Rowland.
Edwards.	Stewart of Reeves.
Grissom.	Wadley.
Hanna.	Walker.
Hendricks.	Wallace.
Johnson of Ellis.	Webb.
Kveton.	West.
Menking.	

Absent—Excused.

Baker.	McLeod.
Childers.	Marshall.
Laney.	Stephens.
Leslie.	

Question recurring on the passage of the bill to third reading, yeas and nays were demanded.

Senate bill No. 79 failed to pass to third reading by the following vote:

Yeas—44.

Adams.	Black, W. A.,
Baldwin.	of Bexar.
Beasley	Brady.
of Hopkins.	Branch.
Black, O. B.,	Burmeister.
of Bexar.	Chitwood.

Cummins.	Morris
Curtis.	of Montague.
Estes.	Neblett.
Fugler.	Perkins of Lamar.
Greer.	Perry.
Hall.	Pollard.
Harrison.	Pool.
Johnson	Pope.
of Gillespie.	Quaid.
Johnson	Quicksall.
of Wichita.	Rice.
Jones.	Rogers of Harris.
Lackey.	Rountree.
Lauderdale.	Shearer.
McKean.	Sims.
Malone.	Smith.
Melson.	Thomason.
Miller of Dallas.	Thrasher.
Morris of Medina.	Westbrook.

Nays—60.

Aiken.	McDaniel.
Barker.	McFarlane.
Barrett of Fannin.	Martin.
Beasley	Mathes.
of McCulloch.	Merriman.
Beavens.	Miller of Parker.
Binkley.	Moore.
Bonham.	Mott.
Bryant.	Patman.
Burkett.	Rogers of Shelby.
Burns.	Rosser.
Coffee.	Satterwhite.
Cox.	Schweppe.
Crawford.	Sneed.
Crumpton.	Stevenson.
Darroch.	Swann.
Davis, John,	Sweet of Brown.
of Dallas.	Sweet of Tarrant.
Duffey.	Teer.
Faubion.	Thomas
Fly.	of Limestone.
Garrett.	Thompson
Hardin.	of Harris.
Harrington.	Thompson
Henderson	of Red River.
of McLennan.	Veatch.
Henderson	Wadley.
of Marion.	Walker.
Hill.	West.
Kacir.	Williams
Kellis.	of McLennan.
King.	Williams
Laird.	of Montgomery.
Lawrence.	Wright.
McCord.	

Present—Not Voting.

Davis, John E.,	Lindsey.
of Dallas.	Looney.

Absent.

Barrett of Bell.	Dinkle.
Bass.	Duncan.
Brown.	Edwards.
Carpenter.*	Grissom.

Hanna.	Quinn.
Hendricks.	Rowland.
Horton.	Seagler.
Johnson of Ellis.	Stewart
Kveton.	of Edwards.
Menking.	Stewart of Reeves.
Morgan.	Thorn.
Owen.	Wallace.
Perkins	Webb.
of Cherokee.	Wessels.

Absent—Excused.

Baker.	McLeod.
Childers.	Marshall.
Laney.	Stephens.
Leslie.	

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 10, 1921.

Hon. Charles G. Thomas, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to
inform the House that the Senate has
adopted

S. C. R. No. 30, Granting Judge A. M.
Blackmon permission to leave the State.
And

H. C. R. No. 39, Suspending Section
11, joint rules of the two houses, from
12 o'clock noon, Friday, March 11th, un-
til 12 o'clock midnight, March 11, 1921.

Respectfully,

A. W. HOLT,

Assistant Secretary of the Senate.

SENATE BILL NO. 180 ON SECOND
READING.

On motion of Mr. Lauderdale, the reg-
ular order of business was suspended to
take up and have placed on its second
reading and passage to third reading,
S. B. No. 180, A bill to be entitled
"An Act to amend Section 1, Chapter
76, General Laws passed at the Reg-
ular Session of the Thirty-sixth Legis-
lature, defining what constitutes a pub-
lic weigher, and declaring an emer-
gency."

The Speaker laid the bill before the
House, it was read second time, and was
passed to third reading.

Mr. Merriman moved that the House
recess to 2 o'clock p. m. today, and the
motion was lost.

SENATE BILL NO. 217 ON SECOND
READING.

On motion of Mr. Faubion, the regular
order of business was suspended to take
up and have placed on its second read-
ing and passage to third reading,

S. B. No. 217, A bill to be entitled
"An Act amending Articles 3297 and

3300 of Chapter 7, of Title 52 of the Revised Civil Statutes of the State of Texas, and adding thereto Articles 3300a and 3300b, so as to provide that temporary administrators appointed may be made permanent administrators and declaring an emergency."

The Speaker laid the bill before the House, it was read second time, and was passed to third reading.

SENATE BILL NO. 225 ON SECOND READING.

On motion of Mr. Schweppe, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 225, A bill to be entitled "An Act to amend Article 6401 of the Revised Civil Statutes of 1911, providing for the trial and investigation of matters in suits brought by quo warranto proceedings, and providing for appeals in such cases, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time, and was passed to third reading.

SENATE BILL NO. 263 ON SECOND READING.

On motion of Mr. Barrett of Fannin, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 263, A bill to be entitled "An Act fixing the maximum passenger rate that may be charged by any steam railroad company or interurban railway company for transporting certain peace officers of this State, when traveling on official business between points within this State; making it an offense for any steam railroad company or electric interurban railway company or any person or persons operating the same, or the receivers or lessees thereof, or any officer, agent or employe of any such company in this State to charge more than such maximum rate, and prescribing a penalty therefor; declaring it to be an offense for any peace officer entitled to the benefits of this act to accept the benefits thereof when traveling on other than official business, or for any person not entitled to the benefits of this act to falsely represent himself as entitled to the same and to purchase or offer to purchase transportation at the rate fixed by this act; fixing a penalty therefor, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time, and was passed to third reading.

SENATE BILL NO. 163 ON SECOND READING.

On motion of Mr. Hill, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 163, A bill to be entitled "An Act amending Article 4606 of Title 67 of the Revised Civil Statutes of Texas, 1911, declaring the eleventh day of November of each year a legal holiday and designating November 11th as 'Victory Day.'"

The Speaker laid the bill before the House, it was read second time, and was passed to third reading.

SENATE BILL NO. 110 ON SECOND READING.

On motion of Mr. Harrington, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 110, A bill to be entitled "An Act forbidding transactions of business in Texas under an assumed name other than the real name or names of the individuals conducting such business, unless such individuals file in the office of the clerk of the county where such business is to be conducted a certificate containing the names and addresses of such; providing for the keeping of special record of such certificates by the county clerks of the State; providing for a filing fee to be paid the county clerk for filing such certificate; making it a misdemeanor not to comply with the provisions of the act, and fixing a penalty for such failure."

The Speaker laid the bill before the House, it was read second time, and was passed to third reading.

Mr. Crumpton moved that the House recess to 2 o'clock p. m. today, and the motion was lost.

SENATE BILL NO. 64 ON SECOND READING.

On motion of Mr. Baldwin, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 64, A bill to be entitled "An Act to amend Section 1 of Chapter 27 of an act passed at the Regular Session of the Thirty-second Legislature, entitled 'An Act to provide additional compensation of all judges of the district courts, district attorneys of the State of Texas, and to the judges of the Criminal District Courts of Harris and Galveston counties, by allowing compensation for actual and necessary expenses

when engaged in the discharge of their official duties in counties other than the county of their residence'; and providing that this act shall apply to the judges of all of the criminal district courts of this State, and to repeal all laws and parts of laws in conflict therewith, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Baldwin offered the following (committee) amendment to the bill:

Amend Senate bill No. 64 by adding after Section 1 the following: "Provided said expenses shall never exceed \$600 in any one year."

Question—Shall the (committee) amendment be adopted?

RECESS.

On motion of Mr. Crumpton, the House, at 12 o'clock m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by Speaker Thomas.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 10, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 25, A bill to be entitled "An Act to amend Article 7235, Chapter 6, Title 124, Revised Civil Statutes, 1911, as amended by Chapter 72, General Laws of the Thirty-third Legislature, and Chapters 26 and 99 of the General Laws of the Thirty-fourth Legislature, and Chapter 131, General Laws of the Thirty-fifth Legislature, and Chapter 10, of the General Laws of the Third Called Session of the Thirty-fifth Legislature, and Chapter 13 of the Fourth Called Session of the Thirty-fifth Legislature, and Chapter 35, General Laws of the Thirty-sixth Legislature, with reference to the mode of preventing horses and certain other animals from running at large in the counties named, so as to include Bowie and Marion counties, and declaring an emergency."

H. B. No. 46, A bill to be entitled "An Act to amend Section 3 of Chapter 73 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, as amended by Chapter 113 of the General Laws of the Thirty-sixth

Legislature, providing that the tax collector of each county shall transmit on Monday of each week, to the State Highway Department, fifteen per cent of the gross registration, chauffeur and transfer fees during the preceding week, and deposit the remaining eighty-five per cent in the county depository to the credit of the road and bridge fund of the county, to be expended by the commissioners court as is now provided that all license fees collected on commercial and interurban commercial motor vehicles on a mileage basis shall be the property of the respective counties and be distributed in proportion to the mileage traveled in each county, and declaring an emergency; and also amending Section 5, Chapter 190, Acts of the Regular Session of the Thirty-sixth Legislature, so as to provide that all salaries of employes of the State Highway Department, including engineer, shall be fixed by the Legislature," with amendments.

H. B. No. 58, A bill to be entitled "An Act to amend Article 325, Title 12, of the Revised Civil Statutes of 1911, so as to permit proceedings under said article regardless of indictment, criminal prosecution or conviction for any of the matters therein named."

H. B. No. 120, A bill to be entitled "An Act providing that persons, firms or corporations who operate or conduct hotels, cafes, restaurants, dining cars or other public eating places, bakeries and meat markets in this State shall not employ or keep in their employ any person who is infected with or affected by any infectious or contagious disease; and further providing that such persons, firms or corporations or common carriers operating places heretofore named or operating any bakery or meat market, shall have made a medical inspection for all their employes at intervals of time of not more than six months, and if such examination discloses the fact that any person in their employment is infected with or affected by any infectious or contagious disease that such person shall promptly be discharged from such employment; and further providing that all dishes, receptacles or other utensils used in eating or drinking, or for the conveyance of articles of food, shall be thoroughly cleansed since used by another person, and prohibiting the use of dishes, receptacles or other utensils that are cracked or broken in such a manner as to render their sterilization impossible or doubtful, and providing penalties for a violation of the provisions of this act, and declaring an emergency."

H. B. No. 174, A bill to be entitled "An Act to amend Article 7138, Revised Civil Statutes of 1911, so as to provide for the appointment of deputy constables in justice precincts in which there is no city of eight thousand or more inhabitants, and declaring an emergency."

H. B. No. 184, A bill to be entitled "An Act to make appropriations in order to enable the State of Texas to continue to receive the benefits of Federal funds appropriated to the States for vocational education under the provisions of the Smith-Hughes Act accepted by the State of Texas, appropriating \$165,600, or so much thereof as may be necessary, for the fiscal year 1921-22, and an appropriation of \$185,600, or so much thereof as may be necessary, for the fiscal year 1922-23," with amendments.

H. B. No. 245, A bill to be entitled "An Act to amend Article 521, Chapter 6, Title 14, Revised Civil Statutes of the State of Texas, 1911, and to amend Section 5, Chapter 205, General Laws, passed by the Thirty-fifth Legislature at the Regular Session thereof, approved by the Governor April 9, 1917, providing for this amendatory act to be Article 521 of the Civil Statutes; and providing for the appointment of State bank examiners and general liquidating agent, for their discharge and removal, and establishing and fixing their salaries; making an appropriation of \$13,802 to cover increase of salaries and expenses of examiners, and declaring an emergency."

H. B. No. 68, A bill to be entitled "An Act to amend Section 1, Chapter 16, being an act of the Regular Session of the Thirty-fifth Legislature, 1917, as amended by Chapter 58, being an act of the Regular Session of the Thirty-fifth Legislature, 1917, relating to the creation of a juvenile board within certain counties of the State, and prescribing the duties and powers of such board, including the appointment by it of probation officers, and providing for the payment of compensation to such officers; allowing the said district judges an additional salary to be paid out of the general fund of such county, and declaring an emergency."

H. B. No. 84, A bill to be entitled "An Act to amend Article 2925 and Article 2926, Title 49, Chapter 2, Revised Civil Statutes of Texas, relating to the compensation of election judges and clerks."

H. B. No. 96, A bill to be entitled "An Act to amend Title 29 of the Revised Statutes of the State of Texas, and Chapter 2 thereof, and Articles

1467a, 1468, and 1476 thereof, and Chapter 134 of the General Laws of the Regular Session of the Thirty-fifth Legislature, page 339 thereof, providing more fully for placing common and independent school district accounts thereof, and repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 105, A bill to be entitled "An Act to amend Section 1, Chapter 68, of the General Laws of the Regular Session of the Thirty-fifth Legislature of the State of Texas, 1917, entitled 'An Act to amend Article 1143, Chapter 3, Title 15, of the Code of Criminal Procedure, as amended by Chapter 20 of the Acts of the State of Texas, relating to the pay of jail guards and matrons, and declaring an emergency.'"

H. B. No. 109, A bill to be entitled "An Act to amend Chapter 57 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-first Legislature, 1909, relating to the property used by the Court of Criminal Appeals of the State of Texas, providing for a clerk and deputy clerk and providing for the compensation to be paid each, and declaring an emergency."

H. B. No. 196, A bill to be entitled "An Act to amend Section 2 of Chapter 42 of the General Laws of the Thirty-second Legislature, relating to exemptions as affecting employes and ex-employes of common carriers, express, railway, telegraph, news and other companies, persons and corporations performing service for or in connection with the operation of the railways, the State Railroad Commissioners, peace officers and representatives of industrial fairs and farmers' congresses and institutes and farmers' unions; deputy sheriffs, United States marshals and not more than two deputies of each such marshal; chiefs of police and city marshals; eleemosynary and religious societies; volunteer firemen and Confederate veterans; the State Game, Fish and Oyster Commissioner and his two chief deputies; State and county health officers; government representatives accompanying fish for free distribution in the streams of this State; the Dairy and Food Commissioner and two chief deputies; and providing for right of contract between railway companies and editors, proprietors or publishers of newspapers and magazines; persons who have been instrumental in securing the passage by the United States Congress of statutes providing for the equipment of railroad trains with safety appliances; constables, members of the State militia in uni-

form when called into service," with amendments.

H. B. No. 213, A bill to be entitled "An Act to regulate and make sanitary buildings and rooms used and occupied as a bakery, for the manufacture of bakery products; providing for pure and wholesome ingredients of bakery products, and the cleanliness of receptacles used in the handling of same; prohibiting the use of impure materials; fixing the weight of a loaf of bread; fixing a penalty for the violation of any provision thereof, and declaring an emergency."

H. B. No. 230, A bill to be entitled "An Act authorizing any steam or electric interurban railway company or sleeping car company, or chartered transportation company, or the receivers or lessees thereof, or the persons operating the same, or officers, agents or employees thereof, to grant free passes to any person who is now receiving or may hereafter receive a pension from the State of Texas under the provisions of Section 51 of Article 3 of the Constitution of the State of Texas; providing how proof of such fact may be made, and declaring an emergency."

H. B. No. 282, A bill to be entitled "An Act authorizing incorporated cities, towns or villages in this State to avail themselves of the services of county tax assessors and collectors, and declaring an emergency."

H. B. No. 361, A bill to be entitled "An Act to appropriate five million (\$5,000,000) dollars out of the general funds of the State to aid the public schools for the scholastic year beginning September 1, 1921, and ending August 31, 1922, the same to be distributed as the available school fund is now distributed."

H. B. No. 291, A bill to be entitled "An Act further regulating the increase of capital stock of State banks or banking corporations, amending Article 564, Chapter 6, Title 14, Revised Civil Statutes of the State of Texas, 1911, requiring the increase of the capital stock of banks, through orders of the State Banking Board when the statements of the said banks show excessive increase of average daily deposits as compared to the capital stock and surplus of said banks by providing that the State Banking Board may relieve such bank of such order upon finding of conditions justifying such relief; and declaring it to be an offense to receive deposits after refusal or failure of such bank or banking corporation to comply with any order or requirement of the State Banking Board pursuant to the provisions

of this act, and fixing the penalty and punishment therefor."

H. B. No. 353, A bill to be entitled "An Act creating the Stamford County Line Independent School District in Jones and Haskell counties, Texas; defining its boundaries; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas on independent school districts and the boards of trustees thereof; declaring that all taxes or bonds heretofore authorized by any and all former school districts included within the bounds hereof shall remain in full force and effect; providing that such board of trustees shall have the power to take, receive, sell, convey, transfer and dispose of real and personal property; repealing Chapter 2 of the Special Laws of Texas passed at the Second Called Session of the Thirty-first Legislature, and declaring an emergency."

H. B. No. 354, A bill to be entitled "An Act to make effective the provisions of Section 59 of Article 16 of the Constitution of the State of Texas with respect to conservation of the natural resources of the State, the same having been adopted as a constitutional amendment by a vote of the people in 1917; and amending Sections 1, 2 and 3 of Chapter 88, General Laws, Thirty-fifth Legislature, so as more specifically to define the public waters of the State of Texas, and provide for their appropriation, diversion and use, and declaring an emergency."

H. B. No. 359, A bill to be entitled "An Act fixing the venue in prosecution for bigamy, and declaring an emergency."

H. B. No. 543, A bill to be entitled "An Act to authorize counties and cities of over ten thousand inhabitants, either or both, where a fund of fifty thousand dollars or more has been or shall be left by will or otherwise for the establishment and maintenance of a hospital in such city in which the sick and wounded of such city or of the State of Texas, who are indigent, may be admitted and receive the care and attention of the hospital and medical and surgical attention without cost, to aid in the maintenance of such hospital so far as in the judgment of the commissioners court of the county or of the governing body of the city, may be proper to provide hospital accommodations and surgical and medical attention for the sick and

wounded of such county or city who may be indigent, and prescribing an emergency."

H. B. No. 545, A bill to be entitled "An Act making it unlawful for any person or persons to hunt and kill doves and quail more than thirty-one days in each year in Fayette county, State of Texas, and declaring an emergency."

H. B. No. 484, A bill to be entitled "An Act creating the Vance Independent School District in Edwards and Real counties, Texas; defining its boundaries; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed upon independent school districts and the boards of trustees thereof, and declaring an emergency."

H. B. No. 430, A bill to be entitled "An Act to amend Section 29, Chapter 118, General Laws of the Thirty-second Legislature, Regular Session, approved March 28, 1911, as amended by Chapter 36, page 91, General Laws Thirty-third Legislature, First Called Session, 1913, entitled 'An Act to authorize the commissioners courts of the several counties of Texas to create and establish drainage districts, construct canals, drains and ditches; to make levees, improve streams and water courses and make other improvements for the purpose of drainage, etc., and declaring an emergency,' the said section relating to the execution of a bond by the county judge after registration of drainage bonds; payment of premium by drainage district if bond is executed by surety company, and providing for the compensation of the county judge for his services, so that said section shall hereafter read as herein set out, and declaring an emergency."

H. B. No. 521, A bill to be entitled "An Act creating the Bloomburg Independent School District in Cass county, Texas; defining its boundaries, including the present Bloomburg Independent School District; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws of Texas upon independent school districts and the boards of trustees thereof; providing that the present board of trustees continue in office until the expiration of their respective terms, and declaring an emergency."

H. B. No. 240, A bill to be entitled

"An Act to amend Chapter 143 of the General Laws of the State of Texas passed by the Thirty-third Legislature at the Regular Session thereof, being 'An Act to amend Article 4694 of the Revised Civil Statutes of 1911, giving cause of action where injuries resulting in death is caused by the negligence of a corporation, its agents or servants, and declaring an emergency,' by giving a cause of action for injuries resulting in death against any person, association of persons, joint stock company, corporation, his, its or their owner, agents or servants, against the proprietor, owner, charterer or hirer of any industrial or public utility plant, railroad, street railway, steamboat, stage coach or other vehicle for the conveyance of goods or passengers, and against the receiver or receivers, trustee or trustees, or other person or persons in charge or in control of any railroad, street railway, steamboat, stage coach or other vehicle for the conveyance of goods or passengers, or any industrial plant, public utility plant or other machinery, where such injuries result from the negligence of the persons, corporations, trustees or joint stock companies, their agents or servants; providing that no agreement between the owner of certain property and utility plant and the persons or trustees operating the same shall release such persons or trustees from liability under this act; repealing all laws in conflict herewith; providing that the invalidity of any provision hereof shall not effect the remaining provisions, and declaring an emergency."

H. B. No. 398, A bill to be entitled "An Act authorizing cities of over fifty thousand inhabitants to amend their charters by a majority vote of the qualified voters of said city, so as to extend their corporate limits to include adjoining and contiguous territory, where the annexed territory does not include any city or town of more than five thousand inhabitants; providing for the abolishment of the incorporation of any such annexed city or town having less than two thousand inhabitants, the abolishing of offices thereof; providing for the assumption of the outstanding liabilities against the territory annexed; providing how any special funds on hand of such annexed city or town shall be applied; providing for the collection of all claims, debts, and taxes due to said annexed territory; repealing all laws in conflict with this act, and declaring an emergency."

H. B. No. 446, A bill to be entitled

"An Act relative to public roads of Wilbarger county, and to create a more efficient road system for Wilbarger county, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 471, A bill to be entitled "An Act creating the Highland Independent School District in Cameron county, Texas, and defining its boundaries; providing for the election of a board of trustees therefor; providing for the secretary, treasurer, assessor and collector of taxes and all other necessary officers and committees, and prescribing their qualifications; investing said district with all the rights, powers, privileges and duties of a town or village incorporated under the general laws of the State for free school purposes only; prescribing the maximum rates of taxation within a specified limit of time, and declaring an emergency."

H. B. No. 481, A bill to be entitled "An Act authorizing Briscoe county, Texas, or any political subdivision or defined district thereof, to issue road bonds under the provision of the general laws; validating bond election heretofore held in certain defined political subdivisions in said county; providing for the validation of all proceedings and orders heretofore or hereafter made by the commissioners court of said county in the establishment of a road district where the territory embraced therein overlapped the territory embraced within the boundaries of another district theretofore formed, and validating all proceedings, and declaring an emergency."

H. B. No. 485, A bill to be entitled "An Act creating the Hackberry Independent School District in Edwards and Real counties, Texas; defining its boundaries; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts, and the board of trustees thereof, and declaring an emergency."

H. B. No. 492, A bill to be entitled "An Act to amend Sections 7 and 11 of the Acts of the Thirty-second Legislature, creating a road system for Jack county, and declaring an emergency."

H. B. No. 505, A bill to be entitled "An Act creating the Atlanta Independent School District, commonly known as Common School District in Cass

county, Texas, and including within its limits the municipal corporation of the town of Atlanta, and defining its boundaries; and to provide for the creating of a board of trustees thereof and authorizing the board of trustees to levy and assess and collect special taxes, and conferring upon the board of trustees preliminary powers; and providing authority to issue bonds for the purpose of purchasing school sites and erecting and furnishing and equipping school buildings within the same, and to levy a tax therefor; and to pay current expenses for the maintenance and support of said schools; providing an equalization board and prescribing the duty and authority of said boards of trustees; declaring valid an issue of bonds theretofore made; declaring valid a maintenance tax theretofore voted, and repealing laws in conflict herewith in so far as they conflict with this act, and declaring an emergency."

H. B. No. 518, A bill to be entitled "An Act creating the Santa Rosa Independent School District in Cameron county, Texas, and defining its boundaries; providing for the election and qualification of a board of trustees therefor; providing for the selection of a secretary, treasurer, assessor and collector of taxes and all other necessary officers and committees, and prescribing their qualifications; investing said district with all the rights, powers, privileges and duties of a town or village incorporated under the general laws of the State for free school purposes only, and declaring an emergency."

Respectfully,

A. W. HOLT,

Assistant Secretary of the Senate.

SENATE JOINT RESOLUTION NO. 4 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. J. R. No. 4, Amending Sections 5 and 21 and 22 and 23 of Article IV of the Constitution of the State of Texas, relating to the compensation of the executive officers of said State.

The resolution was read third time.

The Clerk was directed to call the roll, and the resolution was passed by the following vote:

Yeas—101.

Adams.
Aiken.
Baldwin.
Barker.
Barrett of Bell.

Bass.
Beasley
of Hopkins.
Beasley
of McCulloch.

Beavens.	Miller of Dallas.
Black, W. A., of Bexar.	Miller of Parker.
Bonham.	Morgan.
Branch.	Moore.
Bryant.	Morris of Medina.
Burkett.	Morris of Montague.
Burmeister.	Mott.
Carpenter.	Neblett.
Chitwood.	Patman.
Coffee.	Perkins
Cox.	of Cherokee.
Crawford.	Perkins of Lamar.
Crumpton.	Perry.
Cummins.	Pollard.
Curtis.	Pool.
Darroch.	Pope.
Davis, John E., of Dallas.	Quaid.
Davis, John, of Dallas.	Quicksall.
Dinkle.	Rice.
Duffey.	Rogers of Harris.
Duncan.	Rogers of Shelby.
Edwards.	Rountree.
Estes.	Rowland.
Faubion.	Seagler.
Fly.	Shearer.
Greer.	Sims.
Grisson.	Smith.
Hall.	Sneed.
Harrington.	Stevenson.
Harrison.	Swann.
Henderson	Sweet of Brown.
of Marion.	Sweet of Tarrant.
Hill.	Teer.
Horton.	Thomason.
Johnson of Ellis.	Thompson
Johnson	of Harris.
of Wichita.	Thompson
Kacir.	of Red River.
Kellis.	Thorn.
Lackey.	Thrasher.
Laird.	Veatch.
Lauderdale.	Wadley.
Lindsey.	Walker.
McCord.	Webb.
McFarlane.	Wessels.
McKean.	West.
Malone.	Westbrook.
Melson.	Williams
Merriman.	of Montgomery.
	Wright.

Nays—18.

Barrett of Fannin.	Looney.
Burns.	McDaniel.
Garrett.	Martin.
Hardin.	Menking.
Henderson	Satterwhite.
of McLennan.	Schweppe.
Jones.	Stewart of Reeves.
King.	Thomas
Kveton.	of Limestone.
Lawrence.	Wallace.

Absent.

Binkley.	Mathes.
Black, O. B., of Bexar.	Owen.
Brady.	Quinn.
Brown.	Rosser.
Fugler.	Stewart
Hanna.	of Edwards.
Hendricks.	Williams
Johnson	of McLennan.
of Gillespie.	

Absent—Excused.

Baker.	McLeod.
Childers.	Marshall.
Laney.	Stephens.
Leslie.	

Reasons for Vote.

I would be in favor of granting an increase of salary to certain State officials and would gladly support a constitutional amendment to that effect if submitted alone. The action of the House in adding members of the Legislature to those to whom an increase is asked, after such amendment has been voted down several times recently, in my opinion insures the defeat of the proposition at the polls, and I am opposed to spending more of the people's money in useless elections.

WALLACE.

HOUSE BILL NO. 184, WITH SENATE AMENDMENTS.

Mr. Thomason called up from the Speaker's table, with the Senate amendments, for consideration of the amendments.

H. B. No. 184, A bill to be entitled "An Act to make appropriations in order to enable the State of Texas to continue to receive the benefits of Federal funds appropriated to the States for vocational education under the provisions of the Smith-Hughes Act, accepted by the State of Texas, appropriating \$165,600, or so much thereof as may be necessary, for the fiscal year 1921-22, and an appropriation of \$185,600, or so much thereof as may be necessary, for the fiscal year 1922-23."

The Speaker laid the bill before the House and the Senate amendments were read.

Mr. Thomason moved that the House do not concur in the Senate amendments, and that a free conference committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following free conference committee on the part of the House:

Messrs. Williams of McLennan, Wright, John Davis of Dallas, Lackey, and O. B. Black of Bexar.

HOUSE BILL NO. 196, WITH SENATE AMENDMENTS.

Mr. Westbrook called up from the Speaker's table, with the Senate amendments, for consideration of the amendments.

H. B. No. 196, A bill to be entitled "An Act to amend Section 2 of Chapter 42 of the General Laws of the Thirty-second Legislature relating to exemptions as affecting employes and ex-employes of common carriers, express, railway, telegraph, news and other companies, persons and corporations performing service for or in connection with the operation of the railways, the State Railroad Commissioners, peace officers and representatives of industrial fairs and farmers' congresses and institutes and farmers' unions, deputy sheriffs, United States marshals and not more than two deputies of each such marshal, chiefs of police and city marshals, eleemosynary and religious societies, volunteer firemen and Confederate veterans, the State Game, Fish and Oyster Commissioner and his two chief deputies, State and county health officers, government representatives accompanying fish for free distribution in the streams of this State, the Dairy and Food Commissioner and two chief deputies, and providing for right of contract between railway companies and editors, proprietors or publishers of newspapers and magazines; persons who have been instrumental in securing the passage by the United States Congress of statutes providing for the equipment of railroad trains with safety appliances, constables, members of the State militia in uniform when called into service."

The Speaker laid the bill before the House and the Senate amendments were read.

On motion of Mr. Westbrook, the House concurred in the Senate amendments.

REPORT OF CONFERENCE COMMITTEE ON HOUSE BILL NO. 161.

Mr. Teer called up for consideration at this time the following report of the free conference committee on House bill No. 161:

Austin, Texas, March 8, 1921.

Hon. Lynch Davidson, President of the Senate, and Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sirs: We, your Free Conference Committee selected and appointed to adjust the differences between the Senate and the House on

H. B. No. 161, A bill to be entitled "An Act to regulate the employment of women and minors, creating and establishing an Industrial Welfare Commission, and imposing the duties, obligations and liabilities on and giving the powers of such Commission to the Industrial Accident Board and providing for their appointment by the Governor; fixing their salaries, authorizing the Commission to employ a secretary and other employes necessary to enforce the act, and fixing their salaries; defining the duties of the Commission and prescribing certain duties of persons, firms and corporations employing women and minors; prescribing and fixing the powers of the Commission; prohibiting the discharge, intimidation or discrimination against employes who may testify before or furnish the Commission with information, and providing penalties therefor; providing for prosecutions for violations of the act and the orders of the Commission; prescribing the manner for a review of any order, finding or determination of the Commission; conferring the right of civil action by employes who are paid less than the minimum wage fixed by the Commission; prescribing the manner in which complaints may be registered with the Commission; defining the persons to whom the act shall apply, and providing that the provisions of this act shall not apply to towns of four thousand nine hundred and fifty population or less, according to the Federal census of 1920, and does not apply to certain named employes, and making an appropriation to carry out the purposes of this act; providing for the repeal of Chapter 160, Acts of the Regular Session of the Thirty-sixth Legislature, approved April 3, 1919, and of all laws or parts of laws in conflict with this act, and declaring an emergency."

Have had the same under consideration, and beg leave to report as follows, to wit:

We recommend that said bill be passed with the following (committee) amendments:

1. Strike out all after the enacting clause and insert in lieu thereof the following:

Section 1. There is hereby created a commission to be composed of three commissioners, which shall be known as the Industrial Welfare Commission. The word "Commission" hereinafter used refers to and means said Industrial Welfare Commission, and the word "Commissioner" as hereinafter used refers to and means a member of the Industrial Welfare Commission. Said Commissioners shall be the same as those now composing the Industrial Accident Board of this State and hereafter the Governor of this State in making appointments to said Industrial Accident Board shall, as far as possible consistent with the law creating said Industrial Accident Board, observe the following rules, to-wit: One of said Commissioners shall be appointed for a term of two years, one for a term of four years, and one for a term of six years; thereafter the term of office of each of said Commissioners shall be six years. The Governor shall designate the terms of each of said three first appointees. Each Commissioner shall hold office until his successor is appointed and qualified. Vacancies that may occur in the membership shall be filled by appointment by the Governor for the unexpired portion of the term in which such vacancy occurs.

Quorum of said Commission is hereby declared to be the full membership thereof, but the act or decision of any two Commissioners shall be deemed the act or decision of the Commission. In the event a vacancy should occur, then the two remaining Commissioners shall constitute a quorum.

The Governor shall so select and appoint said Commissioners so that at all times one of said Commissioners shall be a representative of the employing class, and one of said Commissioners shall be a representative of the employee class, and the third of said Commissioners shall be a representative of the general public. The representative of the general public so appointed shall possess the qualifications now prescribed by law for a district judge of the State of Texas.

Each of said Commissioners shall be an actual bona fide resident citizen of the State of Texas for five years next preceding the date of his appointment; that each of said Commissioners shall take and subscribe to the same oath of office as is provided by the Constitution for the Governor of this State, and whose appointment shall date from the time copy of said oath is filed in the office of the Secretary of State; the chairman of said Commission shall be the representative of the general public.

The Commission may, until otherwise provided by the Legislature, employ a secretary, stenographers, and one assistant secretary, and not to exceed six investigators, to carry out the purposes of this act, and shall fix the compensation of such employees at not to exceed the sum of twenty-four hundred (\$2400) dollars per annum, together with all necessary traveling expenses for said employees; each of said salaries shall be paid in equal monthly installments.

When said Industrial Accident Board performs the duties imposed hereby it shall be known as the Industrial Welfare Commission and be governed by the rules and provisions hereof.

Provided, the Legislature may from time to time in making appropriations for the Industrial Accident Board and the Industrial Welfare Commission as herein provided for, limit or increase the number of employees and fix and regulate their salaries.

Sec. 2. It shall be the duty of the Commission to ascertain the wages paid, the conditions of employment in the various occupations, trades and industries in this State, and to make investigations into the comfort, health, safety, cost of living and welfare of women and minors employed in commercial, industrial, mercantile or other occupations.

Sec. 3. It shall be the duty of every person, firm, corporation or association of persons employing women or minors in this State: To furnish the Commission, at its request, any and all reports or information which the Commission may require pertaining to the working conditions and wages paid women and minors to carry out the purposes of this act; such reports or information to be verified by the oath of the person, or a member of the firm, or the president, secretary or manager of the corporation furnishing same, if and when requested by the Commission or any member thereof, provided the blanks for reports required under the provisions of this act shall be supplied by the Commissioners.

Sec. 3a. For the purposes of this act a minor is defined to be a person of either sex under the age of fifteen years.

Sec. 4. The Commission may specify times and places to hold public hearings, at which times and places employers, employees and interested persons may appear and give testimony as to the matter under consideration. The Commission or any member thereof, shall have power to subpoena witnesses, issue subpoenas duces tecum and compel the pro-

duction before the Commission of any and all payrolls desired by the Commission, and to administer oaths. All witnesses subpoenaed by the Commission shall be paid the fee and mileage provided by law in civil cases. In case of the failure or refusal on the part of any person to comply with any order of the Commission or any member thereof, or any subpoena, or upon the refusal of any witness to testify to any matter regarding which he may lawfully be interrogated before the Commission or any member thereof, or before any duly authorized representative of the Commission, it shall be the duty of any district judge or court to whom application is made by the Commission or any member thereof, or by any duly authorized representative of the Commission, to compel obedience in the same manner, by contempt proceedings or otherwise, that such obedience would be compelled in a proceeding before said court. The Commission shall have power to make and enforce reasonable and proper rules not inconsistent with this act, and shall not be bound by technical rules of evidence.

Sec. 4a. The Commission shall, after a public hearing before the Commission or any member thereof, or upon its own motion or upon petition:

1. Divide the State into districts or zones as nearly as may be in accordance with the working conditions and cost of living found in the various sections of the State, and may fix a different minimum wage for women and minors when in their judgment the conditions existing in the zones or districts demand.

2. The Commission may further subdivide the districts or zones by classifying the cities and towns in each district or zone according to population as given in the United States census report for 1920, and fix a different minimum wage for each class where the conditions are found to warrant same.

3. The Commission may fix a minimum wage to be paid women and minors engaged in any occupation, trade or industry in this State according to the character of the employes, their living conditions and living costs, which shall not be less than a wage adequate to supply such females and minors the necessary cost of proper living, and to maintain the health and welfare of such females and minors; provided, however, that there may be a different minimum wage fixed in said occupation, trade or industry for the employes of different classes—according to the actual minimum living costs of each of said classes.

4. The Commission may further fix the standard conditions of labor demanded by the health and welfare of the women and minors employed or engaged in any occupation, trade or industry in this State. Said Commission may divide the State into zones or districts according to the kind of employes therein their living conditions and living costs in said zones or districts, and shall fix such wage in each of said zones or districts as may be a fair minimum wage in same.

5. A separate or different wage for learners, apprentices and minors from that fixed for experienced female or minor employes shall be fixed by the Commission, provided that in all cases where an employe is required or permitted to work less than four (4) hours in any one day, the Commission shall have power to fix another additional or different minimum wage for such employe, the number of learners or apprentices employed in any one industry or establishment shall not exceed twenty (20) per cent of the total number of women and minors employed in such industry or establishment.

Sec. 4b. Any person, firm, association of persons, or corporation owning, operating or conducting any institution, factory, trade or industry affected by the provisions of this act, may at any time file with the Commission his, their or its petition setting forth the conditions existing in his, their or its particular institutions, factory, trade or industry that would entitle same to a different classification and minimum wage from that fixed by the Commission. Upon the filing of said petition the Commission may within sixty days from the date of the filing of said petition inspect, or cause to be inspected, such institution, factory, trade or industry, and inquire into, or cause to be inquired into, the minimum living costs, and moral conditions under which the female and minor labor is employed in same, and shall, if warranted by the facts, enter an order re-classifying such institution, factory, trade or industry, and shall fix a lower minimum wage for same in accordance with the existing facts, taking into consideration the actual minimum living costs and conditions provided for the health, comforts and moral betterments of such female or minor employes, provided that no person, firm or corporation may have more than two inspections in any one year.

Sec. 5. Upon the fixing of a time and place for the holding of a hearing for the purpose of considering and acting upon any of the matters referred to in Section 2 hereof, the Commission shall

give notice to the public by advertising in at least one newspaper in the county in which the hearing is to be held, and by mailing a copy of said notice to the county clerk of the county in which the hearing is to be held, which notice shall state the time and place of such hearing to be held, which shall not be earlier than ten days from the date of publishing and mailing such notice.

After such public hearing the Commission may, at its discretion, make a mandatory order to be effective in not less than sixty days from the date of such order, specifying the minimum wage to be paid women and minors in the occupation, trade or industry and the standard condition of labor for such women and minors.

Such order shall be published in at least two daily newspapers in each district or zone, provided there be that number of such newspapers, and a copy shall be mailed to the county clerk of each county in the district or zone, and shall be recorded in a suitable record book to be kept by each county clerk for such purpose, and no charge shall be made for recording same.

The Commission shall furnish to each employer affected, where the address can be obtained, or upon request, a copy of all orders promulgated by the Commission, and such order or orders must be posted by such employer in a conspicuous place in the place of business or employment where women or minors are employed.

Failure of the employer to receive such notice shall not relieve from the duty to comply with such order. Finding by the Commission that there has been such publication and mailing to the county clerk shall be necessary to the service.

Sec. 6. Whenever wages or conditions of labor have been so made mandatory in any occupation, trade or industry, the Commission may at any time in its discretion, upon its own motion, or upon petition of either employers or employes, after a public hearing held upon notice hereinbefore provided, rescind, alter or amend any prior order. Any order rescinding, altering or amending a prior order shall have the same force and effect as herein provided for an original order.

Sec. 7. Any occupation, trade or industry in or for which a minimum wage has been established under the provisions of this act, the county judge of the county in which they may reside shall upon proper proof issue to any aged, defective or deficient, or crippled

person subject to this act, a special license authorizing the employment of such person for a period of twelve (12) months for a wage less than such legal minimum wage, which license may be by the county judge of the county in which such female or minor may reside, at its expiration, renew for a like period of twelve (12) months, but the number of such defectives employed in any one establishment or industry at any time shall not exceed twenty (20) per cent of the total number of women and minors employed in such establishment or industry.

Sec. 8. Any employer who discharges, or threatens to discharge, or in any other manner discriminates against any employe because such employe has testified, or is about to testify, or because such employer believes such employe may testify in any investigation or proceeding relative to the enforcement of this act, or who shall violate any of the provisions of Section 3 of this act, or who shall disregard a lawful, mandatory order of the Commission, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine or not less than one (\$1) dollar nor more than twenty-five (\$25) dollars for each first offense and for each subsequent offense not less than twenty-five (\$25) dollars nor more than two hundred (\$200) dollars, or by imprisonment in the county jail for a period not to exceed six months, or by both such fine and imprisonment.

Sec. 9. The minimum wage for women and minors fixed by the Commission under the provisions of this act shall be the least wage paid such women and minors, and the payment of a lesser wage in any trade, occupation or industry, except as herein provided, where a minimum has been fixed by the Commission shall subject such employer to the penalties provided in the preceding section. Provided further, that nothing in this act shall be construed as preventing any employer of women and minors, in any occupation, trade or industry, from paying a higher wage than the minimum wage fixed by the Commission in such occupation, trade or industry.

Sec. 10. In every prosecution for violation of this act the minimum wage established by the Commission as herein provided shall be prima facie presumed to be reasonable and lawful, and to be the living wage required herein to be paid to women and minors. The findings of facts made by the Commission acting within its powers shall, in the absence of fraud, be conclusive, except

where appealed from as hereinafter provided; and the determination made by the Commission shall be subject to review only in a manner and on the grounds following: Within thirty days from the date of determination, any party aggrieved thereby may commence action in the district court in and for the county in which the aggrieved party resides, or in the district court of Travis county against the Commission for review of such determination. In such action a complaint which shall state the grounds upon which a review is sought shall be served with the summons; service upon the secretary of the Commission or upon any member of the Commission shall be deemed a complete service. The Commission shall file its answer within twenty days after the service of the complaint. The trial in such court shall in all respects be a trial de novo. Upon the setting aside of any determination, order or wage fixed by the Commission, the court trying said cause shall enter such order, judgments and decrees as the court shall find should have been originally made by the Commission. The Commission, or any party aggrieved by a decree entered upon a review of a determination, may appeal therefrom within the time and in the manner provided for an appeal from the orders of the said district court. The Attorney General shall defend the orders of the Commission in all courts.

Sec. 11. In all prosecutions for the violation of any provisions of this act, and in all cases affecting any orders, judgments or decrees made by the Commission, such provisions shall have precedence over all other cases pending in said court of a different nature, and in all cases where an appeal has been taken, said appeal shall have precedence over all other cases of a different nature therein pending.

No criminal prosecution hereunder shall be instituted or maintained for any violation of any provisions of this act committed during the pendency of said civil suit.

Sec. 12. Any employe receiving less than the minimum wage applicable to such employe shall be entitled to recover in a civil action the unpaid balance of the full amount of such minimum wage, together with cost of suit and an additional amount for attorney's fees, said fees to be determined by the court, notwithstanding any agreement to work for a lesser wage.

Sec. 13. Any person or persons for whom the Commission may have established a minimum wage may register a complaint with the Commission that the

wages paid to her or them are less than the rate fixed by the said Commission, and the Commission shall thereupon investigate the matter and proceed in such manner as is necessary to enforce payment of such established wage under the provisions of this act.

Sec. 13a. The provisions of this act shall not apply to domestic servants, nurses, farm and ranch labor, and students in schools and colleges, while actually attending such schools and colleges during their session or in vacation and who are working their way through schools and colleges, either in whole or in part; and all telephone exchanges, mercantile establishments of all classes, and laundries in cities, towns and villages whose population was 4950 or less as shown by the Federal census of 1920 and which do not employ more than twelve women and minors, are hereby exempt from the provisions of this act. Provided further, that the provisions of this act shall not apply to women or minors whose compensation is measured by piece only, and who do not work under the supervision of the employer.

Sec. 14. The Commission shall make biennial report to the Governor and to the Legislature covering all business investigations and determinations of the Commission for the preceding biennial period.

Sec. 15. There is hereby appropriated out of the moneys of the State Treasury, not otherwise appropriated, the sum of four thousand (\$4000) dollars, or so much thereof as may be necessary, to be used by the Commission in carrying out the purposes of this act or the balance of the fiscal year ending August 31, 1921. The Comptroller is hereby directed from time to time to draw warrants upon the presentation of properly itemized, verified and approved vouchers, on the general fund in favor of the Commission for the amounts expended under its direction, and the Treasurer is hereby authorized and directed to pay the same.

Sec. 16. Whenever this act, or any part or section thereof, is interpreted by a court, it shall be liberally construed by such court.

Sec. 17. If any section, subsection or subdivision of this act is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of the act. The Legislature hereby declares that it would have passed this act, and each section, subsection, subdivision, sentence, clause or phrase thereof, irrespective of the fact that any one or more of the

sections, subsections, subdivisions, sentences, clauses or phrases is declared unconstitutional.

Sec. 18. All laws or parts of laws in conflict with or inconsistent with this act, together with Chapter 160 of the Acts of the Regular Session of the Thirty-sixth Legislature, are hereby repealed.

Sec. 19. The importance of this legislation, the near approach of the close of the Regular Session and the fact that the law on this subject now upon the statute books has been held unworkable and it is necessary to have a workable law on this subject, all create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and said rule is hereby suspended and that this act shall take effect and be in force from and after its passage, and it is so enacted.

Amendment No. 2.

Strike out all before the enacting clause and insert in lieu thereof the following:

H. B. No. 161, A bill to be entitled "An Act to regulate the employment of women and minors, creating and establishing an Industrial Welfare Commission, and imposing the duties, obligations and liabilities on and giving the powers of such Commission to the Industrial Accident Board, and providing for their appointment by the Governor; fixing their salaries, authorizing the Commission to employ a secretary and other employees necessary to enforce the act, and fixing their salaries; defining the duties and powers of the Commission and prescribing certain duties of persons, firms and corporations employing women and minors; prescribing and fixing the powers of the Commission; authorizing the Commission to fix a minimum wage to be paid women and minors and conditions of labor; prohibiting the discharge, intimidation or discrimination against employees who may testify before or furnish the Commission with information, and providing penalties therefor; providing for prosecutions for violations of the act and the orders of the Commission; prescribing the manner for a review of any order, finding or determination of the Commission; conferring the right of civil action by employees who are paid less than the minimum wage fixed by the Commission; prescribing the manner in which complaints may be registered with the Commission; defining the persons to whom the act shall apply, and providing that the provi-

sions of this act shall not apply to towns of four thousand nine hundred and fifty population or less, according to the Federal census of 1920 and who do not employ more than twelve women and minors; and does not apply to certain named employes, and making an appropriation to carry out the purposes of this act; and containing other provisions to make the act more effective; providing for the repeal of Chapter 160, Acts of the Regular Session of the Thirty-sixth Legislature, approved April 3, 1919, and of all laws or parts of laws in conflict with this act, and declaring an emergency."

We further recommend that the Senate and the House concur in said amendments to said House bill No. 161.

Respectfully submitted,

MURPHY,
DARWIN,
BAILEY,
HALL,

On the part of the Senate.

TEER,
MILLER of Dallas,
HILL,
HALL.
BONHAM,

On the part of the House.

The Speaker laid the report before the House and it was read.

Question—Shall the report be adopted?

The Clerk was directed to call the roll, and the report was adopted by the following vote:

Yeas—114.

Adams.	Crumpton.
Aiken.	Cummins.
Baldwin.	Curtis.
Barker.	Darroch.
Barrett of Bell.	Davis, John E.,
Bass.	of Dallas.
Beasley	Davis, John,
of Hopkins.	of Dallas.
Beasley	Dinkle.
of McCulloch.	Duffey.
Beavens.	Duncan.
Binkley.	Edwards.
Black, W. A.,	Estes.
of Bexar.	Faubion.
Bonham.	Fly.
Brady.	Garrett.
Branch.	Greer.
Bryant.	Grissom.
Burkett.	Hanna.
Burmeister.	Harrington.
Burns.	Harrison.
Carpenter.	Henderson
Chitwood.	of McLennan.
Crawford.	

Henderson	Perry.
of Marion.	Pollard.
Hendricks.	Pool.
Hill.	Pope.
Horton.	Quaid.
Johnson of Ellis.	Quicksall.
Johnson	Rice.
of Wichita.	Rogers of Harris.
Jones.	Rogers of Shelby.
Kacir.	Rountree.
King.	Rowland.
Kveton.	Satterwhite.
Lackey.	Schweppe.
Laird.	Seagler.
Lauderdale.	Shearer.
Lawrence.	Sims.
Lindsey.	Smith.
Looney.	Sneed.
McCord.	Stevenson.
McFarlane.	Stewart of Reeves.
McKean.	Swann.
Malone.	Teer.
Martin.	Thomas.
Melson.	Thomason.
Menking.	Thompson
Merriman.	of Harris.
Miller of Dallas.	Thompson
Miller of Parker.	of Red River.
Morgan.	Thorn.
Moore.	Thrasher.
Morris of Medina.	Veatch.
Morris	Wadley.
of Montague.	Walker.
Mott.	Wallace.
Neblett.	Webb.
Owen.	West.
Patman.	Westbrook.
Perkins	Williams
of Cherokee.	of Montgomery.
Perkins of Lamar.	Wright.

Nays—7.

Barrett of Fannin.	Sweet of Brown.
Hardin.	Wessels.
Kellis.	Williams
McDaniel.	of McLennan.

Absent.

Black, O. B.,	Johnson
of Bexar..	of Gillespie.
Brown.	Mathes.
Coffee.	Quinn.
Cox.	Rosser.
Fugler.	Stewart
Hall.	of Edwards.
	Sweet of Tarrant.

Absent—Excused.

Baker.	McLeod.
Childers.	Marshall.
Laney.	Stephens.
Leslie.	

SENATE BILL NO. 240 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 240, A bill to be entitled "An Act to repeal House bill No. 832, being Chapter 141, page 556, of the Special and Local Laws of the Thirty-third Legislature, which act provides that Bandera county, or any political subdivision or defined district, shall have the power and is authorized to vote by a 'two-thirds majority of the resident property tax payers, qualified voters of such county or political subdivision thereof, or defined district, now or hereafter to be described and defined, voting thereon to issue bonds to any amount not exceeding one-fourth of the assessed valuation of the real property of such county, or of such political subdivision or defined district, and to levy and collect taxes, to pay the interest on such bonds, and to provide a sinking fund for the redemption thereof, for the purpose of constructing, maintaining and operating macadamized, graveled or graded roads and turnpikes, or in aid thereof, and authorizing the commissioners court of said county to describe and define road districts therein; creating the office of county road superintendent, prescribing his duties and providing for his compensation; providing for the working of county convicts on the roads of said county, to provide for the summoning of road hands and teams for road work and for allowance of time for road service for same, and fixing penalties for violation of any of the provisions of this act; repealing all laws in conflict with this act as applied to Bandera county, and declaring an emergency'; and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 251 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 251, A bill to be entitled "An Act to amend Chapter 69 of the Special Laws passed at the Regular Session of the Thirty-second Legislature, 1911, and approved by the Governor March 23, 1911, which said act was amended at the Regular Session of the Thirty-fifth Legislature, 1917, by Chapter 66 of the Special Laws of the said Thirty-fifth Legislature and approved by the Governor the 26th day of March, 1917, and being an act entitled 'An Act incorporating the Winnsboro Independent School District in Wood and Franklin counties, Texas, for free school purposes only; defining its boundaries, providing for a board of trustees, divesting

the city of Winnsboro of the control of its public schools and title to school property and vesting the same in said Winnsboro Independent School District and its board of trustees; prescribing the rights, powers, privileges and duties of trustees, and declaring an emergency, by more clearly defining its boundaries and providing the date on which the fiscal year begins and ends and the date on which taxes unpaid shall become delinquent, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 255 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 255, A bill to be entitled "An Act repealing Chapter 47 of the Special Laws of the Regular Session of the Thirty-sixth Legislature, known as an act to create a more efficient road system for Wood county, as approved by the Governor on March 13, 1919, and repealing any and all other special laws and parts of special laws relating to a road system for Wood county; providing that hereafter only the general laws relating to roads for the various counties of the State of Texas shall be effective in Wood county; providing that any and all bonds heretofore issued by said Wood county, or any district in Wood county, shall remain valid obligations, and that taxes shall be assessed and collected for the payment of the interest and creating a sinking fund to liquidate said bonds in the same manner as that is now done, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 285 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 285, A bill to be entitled "An Act to amend an act to reorganize the Twenty-seventh and Thirty-fifth Judicial Districts of the State of Texas and to fix the time of holding court therein as passed by the Twenty-ninth Legislature, Chapter 37; and to amend an act to reorganize the Thirty-fifth Judicial District; to name the counties composing the same; to fix the time of holding court therein, passed at the Second Called Session of the Thirty-fifth Legislature, being Chapter 3; and to amend an act to reorganize the Twenty-seventh and the Thirty-fifth Judicial Dis-

tricts; to name the counties composing the Twenty-seventh and Thirty-fifth Judicial Districts; to fix the time of holding court in the counties of said districts, being Chapter 61, as passed by the Regular Session of the Thirty-third Legislature; and to reorganize the Thirty-fifth Judicial District; to name the counties composing the Thirty-fifth Judicial District; to fix the time of holding court in the counties of said Thirty-fifth Judicial District; to provide for the extension and return of process issued out of said court, and to repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 287 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 287, A bill to be entitled "An Act creating the Buffalo Flat Common School District No. 20 in Hall county, Texas, describing its metes and bounds, providing for the assumption of its part of the bonded indebtedness of Turkey Independent District, placing the district under the general laws, providing for a board of three trustees, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 292 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 292, A bill to be entitled "An Act enlarging and creating Geneva Independent School District in Sabine county, Texas, and consolidating Rock Springs Common School District No. 18 and Red Oak Common School District No. 22 with Geneva Independent School District; defining its boundaries; providing for a board of trustees; vesting it with rights, powers, duties and privileges of independent school districts incorporated for school purposes only; providing for a board of equalization to fix the taxable valuation of the personal and real property in said district; divesting out of the Rock Springs Common School District No. 18 and Red Oak Grove Common School District No. 22 the title and the control of all school money and school property belonging to said common school districts, and vesting the title and the control of all such money and property in Geneva Independent School District; providing that if any part of this act is declared unconsti-

stitutional, such decisions shall not make void or annul its other provisions; repealing all laws in conflict with this act, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 294 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 294, A bill to be entitled "An Act fixing the time of holding court in the Thirty-eighth Judicial District of Texas, changing the time for holding court in Kerr county, and repealing all laws in conflict herewith."

The bill was read third time and was passed.

SENATE BILL NO. 319 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 319, A bill to be entitled "An Act amending Chapter 41 of the Special Laws passed at the Regular Session of the Thirty-third Legislature, creating a more efficient road system for McLennan county, Texas, so as to authorize the commissioners court of McLennan county pay the road superintendent a yearly salary of not exceeding five thousand (\$5000) dollars, and repealing all laws in conflict herewith, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 327 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 327, A bill to be entitled "An Act empowering and authorizing the county commissioners court of Bexar county to establish, maintain and operate a law library; authorizing the county commissioners court to appropriate the sum of twenty thousand (\$20,000) dollars, or so much thereof as they deem necessary to properly maintain and establish said library, such law library being established primarily for the benefit of the judges of the Thirty-seventh, Forty-fifth, Fifty-seventh and Seventy-third Judicial Districts, the county judge of Bexar county, the county judge of Bexar county for civil cases, the county judge of Bexar county for criminal cases; providing it shall be established in the county seat of Bexar county; providing all practitioners of the bar may use said library under conditions

set out; providing county court shall select a law library board, being composed of county judge as chairman, one district judge and one reputable attorney; prescribing powers of said board, including their powers of recommendation, said board to receive no compensation; providing for the appointment of a law librarian and assistants and bonds for faithful performance shall be required for one year unless sooner terminated; providing that any reputable practicing attorney of Bexar county may use the said library; authorizing said commissioners court to receive gifts, title passing to county; setting out conditions of said gifts; providing county treasurer shall handle all funds as provided for other officials; providing that if any section shall be found unconstitutional it shall in nowise affect the remaining section, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 328 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 328, A bill to be entitled "An Act to amend Section 1, Chapter 15, Local and Special Laws of the State of Texas, passed by the Thirty-sixth Legislature at its Third Called Session, creating the Garwood Independent School District in Colorado county, increasing the area of said district on the west side of the Colorado river so as to include within said district and in addition to the territory already contained therein the following described territory, set out within the hereinafter described field notes; prescribing the method of changing the boundaries of said district, and defining the boundaries of said school district, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 337 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 337, A bill to be entitled "An Act to create the 'County Court at Law' for Tarrant county, Texas, to define the jurisdiction thereof, and to conform to such change the jurisdiction of the county court of Tarrant county, fixing the salary of the judge of said court, providing the appointment and election of the judges of said court herein created, providing for the appointment of special judges and filling of vacancies in

said office, and providing an official shorthand reporter for said court, and declaring an emergency."

The bill was read third time.

The Clerk was directed to call the roll and the bill was passed by the following vote:

Yeas—112.

Adams.	Kellis.
Aiken.	Kveton.
Baldwin.	Lackey.
Barker.	Laird.
Barrett of Bell.	Lauderdale.
Barrett of Fannin.	Lawrence.
Bass.	Lindsey.
Beasley	Looney.
of Hopkins.	McCord.
Beasley	McDaniel.
of McCulloch.	McFarlane.
Beavens.	McKean.
Binkley.	Malone.
Black, W. A.,	Martin.
of Bexar.	Melson.
Bonham.	Menking.
Brady.	Miller of Dallas.
Branch.	Miller of Parker.
Bryant.	Moore.
Burkett.	Morris of Medina.
Burmeister.	Morris
Burns.	of Montague.
Carpenter.	Mott.
Chitwood.	Neblett.
Cox.	Owen.
Crawford.	Patman.
Crumpton.	Perkins
Cummins.	of Cherokee.
Curtis.	Perkins of Lamar.
Davis, John E.,	Perry.
of Dallas.	Pollard.
Davis, John,	Pool.
of Dallas.	Pope.
Dinkle.	Quaid.
Duffey.	Quicksall.
Duncan.	Quinn.
Edwards.	Rice.
Estes.	Rogers of Harris.
Faubion.	Rogers of Shelby.
Fly.	Rowland.
Garrett.	Satterwhite.
Greer.	Schweppe.
Grissom.	Seagler.
Hall.	Shearer.
Hanna.	Sims.
Hardin.	Smith.
Harrington.	Sneed.
Harrison.	Stevenson.
Henderson	Swann.
of McLennan.	Sweet of Tarrant.
Henderson	Teer.
of Marion.	Thomas
Hill.	of Limestone.
Horton.	Thompson
Johnson	of Harris.
of Wichita.	Thompson
Kacir.	of Red River.

Thorn.
Thrasher.
Veatch.
Walker.
Wallace.
Webb.

Wessels.
West.
Westbrook.
Williams
of Montgomery.
Wright.

Absent.

Black, O. B.,	Merriman.
of Bexar.	Morgan.
Brown.	Rosser.
Coffee.	Rountree.
Darroch.	Stewart
Fugler.	of Edwards.
Hendricks.	Stewart of Reeves.
Johnson	Sweet of Brown.
of Gillespie.	Thomason.
Johnson of Ellis.	Wadley.
Jones.	Williams
King.	of McLennan.
Mathes.	

Absent—Excused.

Baker.	McLeod.
Childers.	Marshall.
Laney.	Stephens.
Leslie.	

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 10, 1921.

Hon. Charles G. Thomas, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to
inform the House that the Senate has
requested the House to return Senate
bill No. 263 for further consideration.

Respectfully,

A. W. HOLT,
Assistant Secretary of the Senate.

SENATE BILL NO. 27 ON THIRD READING.

The Speaker laid before the House,
on its third reading and final passage,
S. B. No. 27, A bill to be entitled
"An Act to amend Section 1 of Chapter
16, being an act of the Regular Session
of the Thirty-fifth Legislature, 1917, as
amended by Chapter 58, being an act of
the Regular Session of the Thirty-fifth
Legislature, 1917, relating to the crea-
tion of a juvenile board within certain
counties of this State and prescribing
the duties and powers of such board,
including the appointment by it of pro-
bation officers, and providing for the
payment of compensation of such of-
ficers, and allowing the said district
judges an additional salary to be paid
out of the general fund of such coun-
ty, and declaring an emergency."

The bill was read third time and was
passed.

SENATE BILL NO. 28 ON THIRD
READING.

The Speaker laid before the House, on its third reading and final passage, S. B. No. 28, A bill to be entitled "An Act to amend Article 5436 of Chapter 9, Title 79, of the Revised Civil Statutes of 1911 of the State of Texas, relating to the sale of public free school and asylum lands, so as to provide for the sale of such lands by the purchaser or any vendee thereof, either in whole tracts or such portions thereof as such purchaser or vendee may desire; and to further provide that the vendee of such lands may be substituted as, and become the purchaser thereof, direct from the State, and that he shall, as to such land, become subject to all of the obligations and penalties imposed by law upon the original purchaser of such land, and to repeal all laws and parts of laws in conflict therewith, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 29 ON THIRD
READING.

The Speaker laid before the House, on its third reading and final passage, S. B. No. 29, A bill to be entitled "An Act defining live stock commission merchants; requiring such merchants to give bond; providing for the renewal of such bond; the approval and recording of the same; imposing penalties for pursuing the occupation of a live stock commission merchant when bond has not been made or renewed, or when there has been an intentional breach of said bond, or for making materially false statements in the application relative to fixing the amount of the bond; requiring remittances of the proceeds of stock sold by such commission merchant to be made to the parties rightfully entitled thereto within forty-eight hours after such sale has been made, either in certified check or bank exchange unless waived in writing by the parties rightfully entitled thereto and prescribing penalty for failure to so remit; prohibiting the appropriation or use for any purpose by such live stock commission merchant of net proceeds of live stock sold by such live stock commission merchant, and prescribing penalty for so appropriating or using; requiring the posting of a certified copy of the bond in some conspicuous place in the office of the principal place of business of said live stock commission mer-

chant and prescribing penalty for failure so to do; providing for suits upon said bond and fixing the venue thereof; repealing all laws in conflict herewith, and especially the Act of the Thirty-third Legislature, Chapter 49, Regular Session, page 93, and declaring an emergency."

The bill was read third time and was passed.

COMMUNICATION FROM AMERICAN LEGION.

Mr. Lindsey, under question of personal privilege, submitted the following communication, which was ordered printed in the Journal:

American Legion,

Travis Post No. 76,

Austin, Texas, March 10, 1921.

Mr. J. T. Lindsey and to the Members of the Thirty-seventh Legislature:

I have been informed that a member of the House has stated that Travis Post No. 76 of the American Legion has gone on record against the proposed recreation bill, or rather the boxing bill.

I wish to say that the minutes of Travis Post has no such record, and no resolution either for or against has been offered.

I am confident when I say that I believe the majority of the members of this post are in favor of this bill, and I personally urge its passage, for I believe in clean sport, and think this bill will be a good thing for the clean sportsmanship of Texas.

Respectfully,

W. L. THOMPSON,

Adjutant Travis Post No. 76.

RELATING TO SENATE BILL NO.
122.

Mr. Thrasher, under question of personal privilege, submitted the following remarks, which were ordered printed in the Journal:

Mr. Thompson has just made the statement that I had used unfair and unjust tactics in doing what I could to defeat the American Legion boxing bill. I will admit that I did ask members of this House to vote against the bill, and that I did tell certain members of the House that the American Legion as a whole was not backing up the bill. I base my reasons for making such statements on the ground—

First—Because the Austin, Texas, post has failed to instruct me or ask me to support the bill, and on the other hand, the only members of the post that I have talked with concerning this bill told me that they were against it.

Second—Other members of this House, and some of them were ex-soldiers, have told me that they have not heard from their Legion Posts one way or the other on the matter.

Third—I know that a Dallas delegation, headed by Captain Reinhardt, as post commander, interviewed me concerning the bill before it was ever introduced in the Senate. This delegation told me that the bill was being urged in the hope that it would help some of the larger posts in Texas. They further told me that very few of the smaller posts in Texas could ever hope to derive help from such a bill.

In light of the above statements, why shouldn't I say that the boxing bill was not universally backed by the American Legion, and as far as asking any member of this House to vote against a bill, I have as much right to do that as Mr. Thompson or any other member of the House. I do not feel that I did very much, and I know that I did not do any more than I should have in killing the bill, and I am glad that Mr. Thompson gives me credit for killing the bill.

SENATE BILL NO. 27 ON FINAL PASSAGE.

Mr. Burkett moved to reconsider the vote by which Senate bill No. 27 was passed.

The motion to reconsider prevailed.

Question—Shall the bill be passed?

Mr. Burkett offered the following amendment to the bill:

Amend Senate bill No. 27, Section 1, beginning at line 36, page 1, so as to read as follows: "In any county of this State having a population of fifty-eight thousand or over, according to the 1920 census, and consisting of two or more judicial districts, and containing a town of sixteen thousand or more, according to the last United States census, the judges of the several district courts of such county, together with the county judge and the county judge at law of such county, are hereby constituted a Juvenile Board for such county."

The amendment was lost.

Senate bill No. 27 was then passed.

SENATE BILL NO. 39 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, S. B. No. 39, A bill to be entitled "An Act to amend Section 1, Chapter 140, of the Acts of 1917, being Article 3034 1-2 of Complete Texas Statutes, compiled by Vernon Law Book Company, and providing that said act shall not apply to manufacturing establishments, industrial plants and grain elevators, where such establishments, plants, elevators and the buildings of said concerns are constructed of fire-proof material, and in which sleeping apartments above first floor are not provided, and in which persons under the age of sixteen years are not employed above the first floor, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 43 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, S. B. No. 43, A bill to be entitled "An Act to amend Article 900, Title 10, of the Code of Criminal Procedure of the State of Texas, of 1911, so as to make bail bonds good in all criminal cases until verdict or judgment and until the defendant is taken in custody by the sheriff, as amended by Chapter 10 of the General Laws of the Thirty-fifth Legislature, 1917, and extending the same for a period of thirty days after the date of overruling of the motion for a new trial."

The bill was read third time and was passed.

SENATE BILL NO. 48 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, S. B. No. 48, A bill to be entitled "An Act to fix a uniform date on which county and precinct officers shall qualify and take over the duties of their respective offices, following their election, and to repeal all laws in conflict herewith, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 54 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 54, A bill to be entitled "An Act to amend Article 3903 of the Revised Civil Statutes of the State of Texas of 1911, as amended by the Thirty-third Legislature at its Regular Session, Chapter 121 and Chapter 142, of the General Laws, and as amended by Chapter 55 of the General Laws of the Regular Session of the Thirty-fifth Legislature, as amended by Chapter 32, General Laws of the Third Called Session of the Thirty-sixth Legislature, relating to the appointment and compensation of deputies and assistants of certain district and county officers and relating to the fees, compensation and expenses of office of certain county funds of special deputy district clerks to attend upon the sessions of district courts in counties of one hundred thousand population or more and in which counties there are more than one district court, including criminal district courts, upon the direction of the judge of such court under the circumstances set forth in the act, correcting certain inaccuracies in the wording of said Article 3903, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 66 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 66, A bill to be entitled "An Act to amend Articles 4600 and 4601, Chapter 7, Title 66, of the Revised Civil Statutes of Texas, 1911, being Articles 784 and 785 of the Revised Criminal Statutes of Texas, 1911, relating to fees to be paid by applicants for licenses as embalmers and the annual fees to be paid by registered embalmers; to provide a penalty for the violation thereof or the failure to pay such fees, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 72 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 72, A bill to be entitled "An Act authorizing certain officers of the University of Texas to make certified copies of public records deposited in the library of that institution and providing that said certified copies shall be lawful and have the same force and effect as if made by the county clerks of the counties from whence the same are transferred; and authorizing county

commissioners and other custodians of public documents, in their discretion, to lend to the University of Texas those public records in their custody which are mainly of historical value, to enable that institution to make copies for historical study, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 86 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 86, A bill to be entitled "An Act to amend Chapter 129 of the General Laws of the State of Texas, passed by the Thirty-sixth Legislature at its Regular Session, authorizing the State Board of Medical Examiners of this State to cancel the license of any licensed 'practitioner of medicine' when the facts are made known to it that such practitioner has been convicted of the crime of the grade of a felony, and for other reasons; repealing all laws in conflict therewith, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 89 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 89, A bill to be entitled "An Act to amend Chapter forty-six (46) of the Acts of the Regular Session of the Thirty-sixth Legislature, so as to provide that all corporations that are required by law to pay an annual franchise tax shall make a report to the Secretary of State between the first day of January and the fifteenth day of March, and prescribing what such report shall contain; providing that the Secretary of State may, for good cause shown, extend such time to any date up to the first day of May; providing the date such report shall be made by certain foreign corporations; prescribing penalty for failure to make such report; providing that such report shall be subject to inspection only by persons who are interested directly in the subject matter of such report, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 90 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 90, A bill to be entitled "An Act to exempt from taxation all property belonging to art leagues and societies of fine arts, whether incorporated or not, which are devoted wholly and without charge to the promotion of education and learning and not for profit, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 93 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 93, A bill to be entitled "An Act to amend Chapter 47 of the General Laws of the State of Texas, passed at the Third Called Session of the Thirty-sixth Legislature, 1920, entitled 'An Act to amend Chapter 111 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-sixth Legislature, 1919,' relating to official shorthand reporters' compensation in certain counties and districts in this State; by providing that in a district wherein in any county in the district the term may continue until the business is disposed of, each county shall pay in proportion to the time court is actually held in such county, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 99 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 99, A bill to be entitled "An Act to amend Article 3631, Chapter 32, of the Revised Civil Statutes of Texas, 1911, providing for appeals to the district court from judgments and orders of the county court in probate matters, regulating pending litigation, repealing all laws in conflict therewith, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 100 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 100, A bill to be entitled "An Act to amend Article 6645, Title 115, Chapter 14, of the Revised Statutes of 1911 of the State of Texas, so as to abolish the defense of assumed risk as a bar to recovery in any suit

against any corporation, receiver or person operating any railway, street railway or interurban railway in this State for damages for death or for personal injuries to employes thereof, and further defining and regulating the doctrine of contributory negligence in such cases, and declaring an emergency."

The bill was read third time.

Mr. Merriman moved the previous question on the final passage of the bill, and the main question was ordered.

Senate bill No. 100 was then passed.

HOUSE BILL NO. 46, WITH SENATE AMENDMENTS.

Mr. Darroch called up from the Speaker's table, with Senate amendments, for consideration of the amendments.

H. B. No. 46, A bill to be entitled "An Act to amend Section 3 of Chapter 73 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, as amended by Chapter 113 of the General Laws of the Thirty-sixth Legislature, providing that the tax collector of each county shall transmit on Monday of each week, to the State Highway Department, fifteen per cent of the gross registration, chauffeur and transfer fees during the preceding week, and deposit the remaining eighty-five per cent in the county depository to the credit of the road and bridge fund of the county to be expended by the commissioners court as is now; providing that all license fees collected on commercial and interurban commercial motor vehicles on a mileage basis shall be the property of the respective counties and be distributed in proportion to the mileage traveled in each county, and declaring an emergency, and also amending Section 5, Chapter 190, Acts of the Regular Session of the Thirty-sixth Legislature, so as to provide that all salaries of employes of the State Highway Department, including engineer, shall be fixed by the Legislature."

The Speaker laid the bill before the House and the Senate amendments were read.

On motion of Mr. Darroch, the House concurred in the Senate amendments.

HOUSE BILL NO. 240, WITH SENATE AMENDMENTS.

Mr. Ponham called up from the Speaker's table, with Senate amendments, for consideration of the amendments

H. B. No. 240, A bill to be entitled "An Act to amend Chapter 143 of the General Laws of the State of Texas, passed by the Thirty-third Legislature at the Regular Session thereof, being 'An Act to amend Article 4694 of the Revised Civil Statutes of 1911, giving cause of action where injuries resulting in death is caused by the negligence of a corporation, its agents or servants, and declaring an emergency'; by giving a cause of action for injuries resulting in death against any person, association of persons, joint stock company, corporation, his, its, or their owner, agents or servants, against the proprietor, owner, charterer or hirer of any industrial or public utility plant, railroad, street railway, steamboat, stage coach or other vehicle for the conveyance of goods or passengers, and against the receiver or receivers, trustee or trustees, or other person or persons in charge or in control of any railroad, street railway, steamboat, stage coach or other vehicle for the conveyance of goods or passengers, or any industrial plant, public utility plant or other machinery, where such injuries result from the negligence of the persons, corporations, trustees or joint stock companies, their agents or servants; providing that no agreement between the owner of certain property and utility plant and the persons or trustees operating the same shall release such persons or trustees from liability under this act; repealing all laws in conflict herewith; providing that the invalidity of any provision hereof shall not affect the remaining provisions, and declaring an emergency."

The Speaker laid the bill before the House and the Senate amendments were read.

On motion of Mr. Bonham, the House concurred in the Senate amendments.

SENATE BILL NO. 101 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 101, A bill to be entitled "An Act to amend Section 16 of Chapter 190 of the General Laws of the Regular Session of the Thirty-fifth Legislature, as amended by Section 2 of Chapter 71 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, and as amended by Section 1, Chapter 113, of the General Laws of the Regular Session of the Thirty-sixth Legislature, by increasing the annual license fee on commercial vehicles and interurban commercial ve-

hicles, and amending Section 16a added to Chapter 190 of the General Laws of the Regular Session of the Thirty-fifth Legislature by Section 2 of Chapter 113 of the Acts of the Regular Session of the Thirty-sixth Legislature by increasing the license fee on commercial and interurban commercial vehicles based upon carrying capacity and per mile traveled, and declaring an emergency."

The bill was read third time.

Mr. Fly offered the following amendment to the bill:

Amend Section 5 of Senate bill No. 101 as amended by striking out all of said section after the word "statements" and insert the following: "accompanied by the proper fees, as provided for in Section 4 of this act, shall be deemed guilty of a misdemeanor and punished by fine not exceeding \$200 for each offense."

Mr. West moved to table the amendment and the motion to table was lost.

Question recurring on the amendment by Mr. Fly, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—75.

Barker.	Hill.
Barrett of Bell.	Horton.
Bass.	Jones.
Beasley	Kacir.
of McCulloch.	Kellis.
Black, W. A.,	Kveton.
of Bexar.	Laird.
Bonham.	Lindsey.
Branch.	Looney.
Bryant.	McCord.
Burkett.	McDaniel.
Burmeister.	McFarlane.
Burns.	Malone.
Carpenter.	Melson.
Chitwood.	Merriman.
Coffee.	Miller of Dallas.
Cox.	Miller of Parker.
Crumpton.	Moore.
Cummins.	Morris
Darroch.	of Montague.
Davis, John,	Patman.
of Dallas.	Perkins
Duffey.	of Cherokee.
Fly.	Perkins of Lamar.
Fugler.	Pollard.
Garrett.	Quicksall.
Grissom.	Rice.
Hall.	Rogers of Harris.
Hardin.	Rogers of Shelby.
Harrison.	Satterwhite.
Henderson	Seagler.
of McLennan.	Shearer.
Henderson	Sims.
of Marion.	Smith.

Sneed.	Thrasher.
Stewart of Reeves.	Veatch.
Swann.	Wadley.
Sweet of Brown.	Westbrook.
Sweet of Tarrant.	Williams
Teer.	of McLennan.
Thomas	Williams
of Limestone.	of Montgomery.
Thorn.	

Nays—33.

Aiken.	Lawrence.
Baldwin.	McKean.
Beasley	Martin.
of Hopkins.	Morgan.
Beavens.	Neblett.
Black, O. B.,	Perry.
of Bexar.	Pope.
Crawford.	Quaid.
Curtis.	Quinn.
Dinkle.	Rosser.
Duncan.	Stevenson.
Edwards.	Stewart
Faubion.	of Edwards.
Hanna.	Thomason.
Harrington.	Thompson
Johnson	of Red River.
of Wichita.	Wallace.
Lackey.	Webb.
Lauderdale.	West.

Present—Not Voting.

Adams.

Absent.

Barrett of Fannin.	Menking.
Binkley.	Morris of Medina.
Brady.	Mott.
Brown.	Owen.
Davis, John E.,	Pool.
of Dallas.	Rountree.
Estes.	Rowland.
Greer.	Schweppe.
Hendricks.	Thompson
Johnson	of Harris.
of Gillespie.	Walker.
Johnson of Ellis.	Wessels.
King.	Wright.
Mathes.	

Absent—Excused.

Baker.	McLeod.
Childers.	Marshall.
Laney.	Stephens.
Leslie.	

Mr. Miller of Dallas moved the previous question on the final passage of the bill and the main question was ordered.

Question recurring on the final passage of the bill, yeas and nays were demanded.

Senate bill No. 101 was passed by the following vote:

Yeas—69.

Adams.	Lawrence.
Aiken.	McDaniel.
Barker.	McKean.
Beasley	Melson.
of McCulloch.	Miller of Dallas.
Black, W. A.,	Miller of Parker.
of Bexar.	Moore.
Bonham.	Morris of Medina.
Branch.	Morris
Bryant.	of Montague.
Burkett.	Perkins
Burmeister.	of Cherokee.
Burns.	Pollard.
Carpenter.	Pool.
Coffee.	Pope.
Cox.	Quicksall.
Crawford.	Rice.
Crumpton.	Rogers of Harris.
Cummins.	Rogers of Shelby.
Curtis.	Rosser.
Darroch.	Rowland.
Davis, John E.,	Seagler.
of Dallas.	Shearer.
Davis, John,	Sims.
of Dallas.	Sneed.
Dinkle.	Swann.
Duffey.	Sweet of Tarrant.
Duncan.	Teer.
Edwards.	Thomas
Fly.	of Limestone.
Garrett.	Thorn.
Greer.	Thrasher.
Grissom.	Veatch.
Harrison.	Wadley.
Henderson	Walker.
of McLennan.	Westbrook.
Hill.	Williams
Horton.	of Montgomery.
King.	Wright.
Laird.	

Nays—32.

Baldwin.	McFarlane.
Bass.	Martin.
Beasley	Menking.
of Hopkins.	Merriman.
Beavens.	Morgan.
Black, O. B.,	Mott.
of Bexar.	Perkins of Lamar.
Chitwood.	Perry.
Faubion.	Satterwhite.
Hall.	Stevenson.
Hanna.	Stewart
Hardin.	of Edwards.
Harrington.	Thomason.
Johnson	Thompson
of Wichita.	of Red River.
Kacir.	Wallace.
Kveton.	West.
Lackey.	Williams
Lauderdale.	of McLennan.
Looney.	

Absent.

Barrett of Bell.	Binkley.
Barrett of Fannin.	Brady.

Brown.	Neblett.
Estes.	Owen.
Fugler.	Patman.
Henderson	Quaid.
of Marion.	Quinn.
Hendricks.	Rountree.
Johnson	Schweppe.
of Gillespie.	Smith.
Johnson of Ellis.	Stewart of Reeves.
Jones.	Sweet of Brown.
Kellis.	Thompson
Lindsey.	of Harris.
McCord.	Webb.
Malone.	Wessels.
Mathes.	

Absent—Excused.

Baker.	McLeod.
Childers.	Marshall.
Laney.	Stephens.
Leslie.	

Mr. John Davis of Dallas moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 10, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 154, A bill to be entitled "An Act to establish a branch of Agricultural and Mechanical College of Texas in that portion of Western Texas lying west of the ninety-eighth meridian and north of the thirtieth parallel; providing for the location of such college; its government and the control of its finances; defining leading objects and prescribing generally the nature and scope of instruction to be given; providing for the instruction of all students of such college in military science and for the military discipline of all students; conferring upon the board of directors of said college the right of eminent domain; making necessary appropriations for the location of said college, and declaring an emergency," with amendments.

H. B. No. 441, A bill to be entitled "An Act to amend Section 2, Chapter 49, Acts of the Thirty-fourth Legislature, Regular Session, providing compulsory school attendance of blind children at Texas School for the Blind un-

der the enforcement provisions of said act." with amendments.

Respectfully,

A. W. HOLT,

Assistant Secretary of the Senate.

SENATE BILL NO. 104 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 104, A bill to be entitled "An Act to prevent any person, firm, corporation or association from placing before the public any advertisement relating to merchandise, securities, service or any other thing offered to the public, containing an assertion, representation or statement of fact which is untrue, deceptive or misleading; providing a penalty for the violation thereof, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 112 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 112, A bill to be entitled "An Act to amend Article 1121 of the Revised Civil Statutes of the State of Texas (prescribing the purposes for which private corporations may be organized) by adding thereto Section 81, authorizing the organization of holding companies for the purpose of dealing in the capital stock, bonds, mortgages, debentures, notes and other securities and evidences of indebtedness of other corporations."

The bill was read third time and was passed.

SENATE BILL NO. 113 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 113, A bill to be entitled "An Act regulating and controlling the business or occupation and those engaged in the business, occupation or employment of caring for, dressing, adorning and beautifying the human hair, face, scalp, hands and skin, including barbers and barber shops and beauty shops, and those connected therewith, and declaring an emergency."

The bill was read third time and was passed.

HOUSE BILL NO. 154, WITH SENATE AMENDMENTS.

Mr. Cox called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 154, A bill to be entitled "An Act to establish a branch of Agricultural and Mechanical College of Texas in that portion of Western Texas lying west of the ninety-eighth meridian and north of the thirtieth parallel; providing for the location of such college; its government and the control of its finances; defining leading objects and prescribing generally the nature and scope of instruction to be given; providing for the instruction of all students of such college in military science, and for the military discipline of all students; conferring upon the board of directors of said college the right of eminent domain; making necessary appropriations for the location of said college, and declaring an emergency."

The Speaker laid the bill before the House and the Senate amendments were read.

Question—Shall the House concur in the Senate amendments?

RECESS.

Mr. Horton moved that the House recess to 8:30 o'clock p. m. today.

Mr. Greer moved that the House recess to 8 o'clock p. m. today.

The motion of Mr. Greer prevailed, and the House, accordingly, at 6 o'clock p. m., took recess to 8 o'clock p. m. today.

NIGHT SESSION.

The House met at 8 o'clock p. m. and was called to order by Mr. Cummins.

HOUSE BILL NO. 154 WITH SENATE AMENDMENTS.

The House resumed consideration of pending business, same being consideration of Senate amendments to House bill No. 154, providing for the establishment of the West Texas Agricultural and Mechanical College.

Question—Shall the House concur in the Senate amendments?

Mr. Cox moved that the House concur in the Senate amendments.

Mr. Fly moved that the House do not concur in the Senate amendments, and that a free conference committee

be requested to adjust the differences between the two houses on the bill.

Mr. Miller of Dallas moved the previous question on the pending motions, and the main question was ordered.

Question first recurring on the motion of Mr. Fly, it prevailed.

SENATE BILL NO. 123 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 123, A bill to be entitled "An Act to amend Article 206, Revised Civil Statutes of 1911, relating to the appointment of a Superintendent of the Confederate Home, his duties, term of office and salary by providing that the son of a Confederate soldier is eligible for appointment, repealing all laws in conflict herewith, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 131 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 131, A bill to be entitled "An Act to amend the laws in regard to the certification of teachers, providing for the same powers of certification to all colleges on a basis of the same standards and courses of work, and for a distinction between certificates obtained by examination and those secured through college work, providing for a gradual raising of standards for teachers through a period of several years and for more adequate examination fees, adding to Sections 107, 108, 110, 110a, 110b, 110c and 110d, Chapter 96, Acts of the Thirty-second Legislature, as amended by Section 1, Chapter 61, Acts of the Third Called Session of the Thirty-sixth Legislature, Sections 107a, 108a, 110e, repealing Sections 114, 116, 117 and 119 of Chapter 96, Acts of the Thirty-second Legislature, as amended by Section 1, Chapter 61, Acts of the Third Called Session of the Thirty-sixth Legislature, and providing a substitute therefor, repealing Section 121, Acts of the Thirty-second Legislature, and providing a substitute therefor, and amending Section 105, Chapter 96, Acts of the Thirty-second Legislature, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 137 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 137, A bill to be entitled "An Act to amend Chapter 140, Acts of the Thirty-sixth Legislature, granting to J. J. Kans, of the city of Galveston, Texas, his heirs and assigns, an extension of time in which the sum of not less than \$150,000.00 should be expended in the construction of a dry dock or marine railway on certain submerged flats or lands on the shore of Galveston Bay, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 140 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 140, A bill to be entitled "An Act for the relief of citizens of this State who are, or have been, absent from this State for more than six months because of their being in the military, naval, legislative or diplomatic service of the State or the United States, to repeal all laws in conflict herewith, and declaring an emergency."

The bill was read third time and was passed.

HOUSE BILL NO. 441 WITH SENATE AMENDMENTS.

Mr. Rice called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 441, A bill to be entitled "An Act to amend Section 2, Chapter 49, Acts of the Thirty-fourth Legislature, Regular Session, providing compulsory school attendance of blind children at Texas School for the Blind under the enforcement provisions of said act."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Rice, the House concurred in the Senate amendments.

SENATE BILL NO. 142 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 142, A bill to be entitled "An Act to amend Title 3 of the Revised Civil Statutes of the State of

Texas, 1911, entitled 'Aliens,' relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holdings to facilitate the enforcement of this act, prescribing penalties for the violation of the provisions hereof, and repealing all acts or parts inconsistent or in conflict herewith, and declaring an emergency."

The bill was read third time.

Mr. Darroch offered the following amendment to the bill:

Amend Senate bill No. 142 by adding thereto the following Section 21d (and renumber other succeeding sections):

"Section 21d. All aliens now owning lands in the State of Texas shall on or before the 1st day of January, 1922, file a written report under oath, with the clerk of the county court of the county in which such land is located, giving the name, age, occupation, personal description, place of birth, last foreign residence and allegiance, the date and place of arrival of said alien in the United States, and his or her present residence and postoffice address, and the length of time of residence in the State of Texas, the foreign prince, potentate, state or sovereignty of which the alien may be at the time a citizen or subject, and the number of acres of land owned by such alien in such county, the name and number of the survey, the abstract and certificate number, the name of the person or persons from whom acquired, the date when acquired, and shall either describe said land by metes and bounds, or refer to recorded deed in which same is so described, which report shall be known as 'Report of Alien Ownership.' Provided further, that all aliens hereafter purchasing, or in any manner acquiring lands located in Texas shall within six months after such purchase, or acquisition, file with the county clerk of the county in which such land is located, a 'Report of Alien Ownership,' in terms as above required.

"Any alien who may now own land in Texas, or who may hereafter acquire any land in Texas, by purchase or otherwise, who does not, within the time prescribed in this article file the reports herein provided for, shall be subject to have such land forfeited and escheated to the State of Texas. The reports herein required shall, when the alien is a minor or insane person, be filed by the parent or guardian of such alien. It shall be the duty of the clerk of the county court of each county to

file and record the reports above provided for in a separate volume, to be entitled 'Record of Alien Owned Lands,' for said county, which record shall be alphabetically indexed. The recording fees for recording such reports shall be paid by the alien owner."

Mr. Morris of Medina moved to table the amendment, and the motion to table was lost.

Mr. Jones offered the following amendment to the amendment:

Amend the amendment to Senate bill No. 142 by striking out the words "January 1st, 1922," and insert in lieu thereof "January 1st, 1923."

Signed—Jones, Teer.

The amendment to the amendment was adopted.

Mr. Morris of Medina moved the previous question on the pending amendment and the final passage of the bill, and the main question was ordered.

Question first recurring on the amendment as amended, it was adopted.

Senate bill No. 142 was then passed.

SENATE BILL NO. 143 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 143, A bill to be entitled "An Act to amend Chapter 3 of Title 10 of the Revised Civil Statutes of Texas of 1911, relating to the admission of inmates into the Confederate Home, by adding thereto Article 208½, so as to provide for the transfer from the Confederate Women's Home to the Confederate Home of any inmate of the Confederate Women's Home whose husband is an inmate of the Confederate Home, and for the retransfer of such person back to the Confederate Women's Home on the death of her husband."

The bill was read third time and was passed.

SENATE BILL NO. 144 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 144, A bill to be entitled "An Act to amend Article 1480, Chapter 2, Title 29, of the Revised Civil Statutes of the State of Texas, 1911, relating to the purchasing of supplies for the use of counties and providing that in cases of emergency purchases not in excess of one hundred and fifty (\$150) dollars may be made upon requisition approved by the commissioners court without advertising for competitive bids, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 149 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 149, A bill to be entitled "An Act providing that a person, firm or corporation engaged in the dairying business, or in the distribution or sale of milk, may file in the office of the county clerk name, trade mark, design, etc., used and cause publication of same in a newspaper, and thereby acquire exclusive use of such name, etc.; and regulating the use and sale of trade name, trade mark, etc., and properly marked with same, and providing penalties."

The bill was read third time and was passed.

SENATE BILL NO. 153 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 153, A bill to be entitled "An Act to amend Chapter 179 of the General Laws of the State of Texas passed at the Regular Session of the Thirty-third Legislature as amended by the Acts of the Regular Session of the Thirty-fifth Legislature, Chapter 103, approved March 28, 1917, by amending Part I, Section 2, thereof," etc.

The bill was read third time and was passed.

SENATE BILL NO. 157 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 157, A bill to be entitled "An Act making it unlawful for any person to use or remove from its moorings without the owner's consent, any boat of any size, character or kind, or to remove therefrom any oar or oars, row-locks, oar-locks, anchor, anchor-chains, anchor-rope, paddles, seats, planks, poles or rigging of any kind belonging to such boat or vessel, that are capable of being operated on the bays, lakes and rivers, oceans or waters of this State, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 162 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 162, A bill to be entitled "An Act validating the charters and amendments to charters of all cities of more than five thousand inhabitants in this State which have adopted charters, or attempted to adopt or amend charters, since the enactment of Chapter 147, General Laws of the Regular Session of the Thirty-third Legislature, 1913, and validating all proceedings had by city councils or city commissions or governing authority, in regard to the question of the adoption of charters or amendments thereto, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 193 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 193, A bill to be entitled "An Act for the purpose of promoting the public school interests of rural schools and those of small towns, of aiding the people to provide adequate school facilities for the education of their children, by the appropriation of two million dollars each year, or so much thereof as may be necessary, for the next two fiscal years ending August 31, 1922, and August 31, 1923, respectively, as allowing the State Board of Education and the State Superintendent of Public Instruction to aid such schools in accordance with the conditions herein specified; providing how such schools shall be located and school buildings constructed, furnished and maintained; providing certain prerequisites for the granting of such aid, and providing that no school having over five hundred scholars shall receive such aid except in the case of bona fide consolidated schools situated in the country; giving preference to all school districts in which the available school funds, together with the local district tax will not maintain the schools six months in the year; providing that such schools that receive such aid shall have a certain percentage of attendance with exceptions; granting authority to the State Board of Education and the State Superintendent of Public Instruction to act for the best interests of the schools in cases and conditions not covered by the law; giving to the State Board of Education and the State Superintendent power to establish rules and regulations for the improvement of country schools receiving the benefits of a portion of the funds provided for in this act; providing for the expenses of administration by action of

the State Board of Education; providing for reports to be made to the State Superintendent of Public Instruction and to the State Board of Education; providing for the manner of payment and disbursements of all moneys granted under the provisions of this act; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 202 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 202, A bill to be entitled "An Act to authorize water improvement districts or conservation and reclamation districts which may be operating under contract with the United States government to acquire, construct, operate, lease or otherwise control, use or employ water power facilities and plants for the generation of electric energy; providing the authority to incur necessary indebtedness for the accomplishment of such purposes, and declaring that such obligation shall constitute a lien only upon the physical plant, distributing equipment and other property created by and for the development of such water power or electrical energy; authorizing such districts to contract with like districts in other States; to contract such power privileges forming a part of the property for such district for use by municipalities or others, and to supply municipalities or others with any product or service developed by or incident to the operation of the district; authorizing such districts to jointly construct, own and operate any such irrigation or power development projects, and to make contracts with reference to privileges, uses, operation and distribution of all products of such districts, and fixing of liens thereof, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 214 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 214, A bill to be entitled "An Act to amend Section 118 of Chapter 61 of the General Laws passed by the Third Called Session of the Thirty-sixth Legislature and approved June 19, 1920, by providing that superintendents of schools who have been superintendents of said school for a period of ten

consecutive years are exempt from the provision requiring the holding of a first grade or permanent certificate, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 215 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, S. B. No. 215, A bill to be entitled "An Act requiring every individual, firm, association or corporation owning, keeping, conducting or managing an institution or home for the boarding or sheltering of infant children or so-called 'Baby Farm,' or any laying-in hospital, hospital ward, maternity home or other place for the reception, care and treatment of pregnant women, charging a fee or receiving or expecting compensation, shall obtain an annual license from the State Board of Health, which license shall be issued without fee; local health officer to be given notice of the granting and terms of license; local health officer to inspect such places at intervals, requiring the reporting of the birth of any child in such place within twenty-four hours after its occurrence to the local health officer; making it unlawful to operate or conduct any such above mentioned place without having the license mentioned; imposing a fine and other penalty for violation of this act, and stipulating that any license shall be revoked if owner be convicted of conducting a 'disorderly house,' as that term is defined in the criminal laws of this State, and declaring an emergency."

The bill was read third time and was passed.

Mr. Burmeister moved a call of the House for the purpose of maintaining a quorum until 11 o'clock p. m. today, and the call was duly seconded.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall, and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Burmeister, the Sergeant-at-Arms was instructed to bring in the absentees.

(Speaker in the chair.)

SENATE BILL NO. 267 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 267, A bill to be entitled "An Act to direct the Prison Commission to sell the Texas State Railway in whole or in part; to make an appropriation from the general revenue to redeem bonds with accrued interest, of the said railroad held by the permanent public free school fund against the railroad, and declaring an emergency."

The bill was read third time.

The Clerk was directed to call the roll, and the bill was passed by the following vote:

Yeas—92.

Mr. Speaker.	Lawrence.
Adams.	Looney.
Aiken.	McCord.
Barker.	McDaniel.
Barrett of Bell.	McKean.
Bass.	Martin.
Beasley	Mathes.
of McCulloch.	Melson.
Beavens.	Menking.
Black, O. B.,	Merriman.
of Bexar.	Miller of Dallas.
Black, W. A.,	Morgan.
of Bexar.	Morris of Medina.
Bonham.	Mott.
Bryant.	Neblett.
Burkett.	Patman.
Burmeister.	Perkins
Carpenter.	of Cherokee.
Chitwood.	Perkins of Lamar.
Coffee.	Pollard.
Cox.	Pope.
Crawford.	Quaid.
Cummins.	Quicksall.
Curtis.	Quinn.
Darroch.	Rice.
Davis, John E.,	Rogers of Harris.
of Dallas.	Rosser.
Davis, John,	Seagler.
of Dallas.	Shearer.
Duffey.	Sims.
Duncan.	Smith.
Edwards.	Sneed.
Faubion.	Stephens.
Fly.	Stevenson.
Garrett.	Stewart
Greer.	of Edwards.
Grissom.	Stewart of Reeves.
Hall.	Swann.
Hanna.	Sweet of Tarrant.
Hardin.	Teer.
Harrington.	Thompson
Hill.	of Harris.
Horton.	Veatch.
Johnson	Wadley.
of Wichita.	Walker.
Jones.	Wallace.
Kellis.	Wessels.
Lackey.	West.
Laird.	Westbrook.
Lauderdale.	Wright.

Nays—4.

Burns.	Thompson
Kacir.	of Red River.
King.	
	Absent.
Baldwin.	Miller of Parker.
Barrett of Fannin.	Moore.
Beasley	Morris
of Hopkins.	of Montague.
Binkley.	Owen.
Brady.	Perry.
Branch.	Pool.
Brown.	Rogers of Shelby.
Dinkle.	Rountree.
Estes.	Rowland.
Fugler.	Satterwhite.
Harrison.	Schwepe.
Henderson.	Sweet of Brown.
of McLennan.	Thomas
Henderson	of Limestone.
of Marion.	Thomason.
Hendricks.	Thorn.
Johnson	Thrasher.
of Gillespie.	Webb.
Johnson of Ellis.	Williams
Kveton.	of McLennan.
Lindsey.	Williams
McFarlane.	of Montgomery.
Malone.	
	Absent—Excused.
Baker.	Leslie.
Childers.	McLeod.
Laney.	Marshall.

Mr. Horton moved to reconsider the vote by which the bill was passed, and asked to have the motion to reconsider spread on the Journal.

Mr. Horton then gave notice that he would on tomorrow call up for consideration at that time, the above motion to reconsider.

SENATE BILL NO. 272 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage.

S. B. No. 272, A bill to be entitled "An Act to amend Chapter 14, Article 2781, Revised Civil Statutes of 1911, as amended by Chapter 27, Acts of the Third Called Session of the Thirty-sixth Legislature, relating to the salaries of teachers so as to change the provision as to districts levying a local tax; validating contracts heretofore made, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 276 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 276, A bill to be entitled "An Act to require the giving of additional supersedeas bond in cases pending on appeal or writ of error in the Supreme Court or Court of Civil Appeals, wherever after the execution of the original bond, the same becomes insufficient by reason of the insolvency of the sureties on such bond or from any other cause, and providing that failure to execute a new supersedeas bond within twenty (20) days after service of notice to execute such bond, should authorize the court in which said case is pending on appeal, to order the issuance of execution on the original judgment; and further providing that the said appeal or writ of error should be continued as if prosecuted upon the cost bond, in the event that the original supersedeas bond should be deemed sufficient for said purpose by the clerk in which said appeal is pending; otherwise, to be dismissed unless a sufficient cost bond is given within a stated period; to repeal all laws in conflict herewith, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 283 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 283, A bill to be entitled "An Act providing that all doctors, physicians, midwives, nurses, or those in attendance at childbirth, shall use prophylactic drops in the eyes of the new born to prevent ophthalmia neonatorum; providing that the State Board of Health shall furnish free of cost, to the indigent, such prophylactic drops; affixing a penalty for violations of this act, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 288 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 288, A bill to be entitled "An Act providing that any corporation, partnership, joint stock association, trust estate engaged in business for profit, or any religious, educational, eleemosynary, charitable, benevolent institution or undertaking may be the beneficiary in any policy of insurance company, and shall have an insurable interest in the proceeds of said policy to the extent of the full face of same;

and further providing that all corporations, partnerships, joint stock associations or trust estates doing business for profit, or any religious, educational, eleemosynary, charitable or benevolent institution or undertaking now designated as beneficiaries in policies of insurance heretofore issued by a legal reserve life insurance company, shall have an insurable interest in the proceeds of said policies for the full face of said policies, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 297 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 297, A bill to be entitled "An Act to regulate the business of insurance made on what is known as the Lloyds plan, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 311 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 311, A bill to be entitled, "An Act to fix the time of holding the district court in the various counties in the Seventh Judicial District of Texas, to validate all process, bonds and recognizances heretofore taken in the courts of said district and all judgments rendered, or to be rendered, repealing all laws in conflict herewith, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 313 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 313, A bill to be entitled "An Act to appropriate ten thousand dollars (\$10,000) to purchase the Aitken collection of four thousand volumes on English literature, owned by H. B. Wrenn of Chicago, on which the University of Texas has an option to buy for twenty thousand dollars (\$20,000), and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 316 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 316, A bill to be entitled "An Act granting to the city of Port Lavaca, Texas, all right, title and interest of the State to certain land lying and being situated under the waters of Lavaca bay, and granting to said city of Port Lavaca, Texas, the right, power and authority to locate, construct, own and maintain certain sea walls or breakwaters on said lands, and to fill in the space between the main land and said sea wall or breakwaters with sand, dredge spoil or other material, and granting to the said city of Port Lavaca the right to take from Lavaca bay such sand, dredge spoil or other material as may be necessary or desirous for filling in such space; and authorizing said city of Port Lavaca to remove and abate any encroachment or structures existing on said property, and to bring suit or suits as may be necessary to carry out the provisions of this act; and granting to said city of Port Lavaca the right to fix the shipping district, and to authorize, purchase, construct, own and maintain piers and wharves and to grant franchise therefor, and to construct and maintain slips into the waters of Lavaca bay beyond said sea walls or breakwaters, and within the territory herein granted; granting the right of eminent domain, and reserving all mineral rights to the State; providing for the appraisalment of said land and the sum per acre to be paid for said land, and the disposition of said funds, and the issuance of a patent therefor, fixing the time to begin construction and reserving to the State and the United States government the right to erect wharves, piers and buildings on said land, and reserving the right to place all piers and wharves and the rates and charges thereon under the supervision of the Railroad Commission of the State, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 325 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 325, A bill to be entitled "An Act for the relief of railway corporations having charters granted or amended since the first day of January, 1892, and which have failed or are about to fail to construct their roads and branches or any part thereof within the time required by law, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 330 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 330, A bill to be entitled "An Act to aid the city of Corpus Christi in the construction of a sea wall or break water so as to protect said city from calamitous overflow, by donating to said city all the State ad valorem taxes collected on property and from persons in Jim Wells, Jim Hogg, Brooks, Kleberg, Willacy and Duval counties, and by donating to said city all the State ad valorem taxes collected on property and from persons in Nueces county not heretofore donated to the city of Corpus Christi by act of the Thirty-fifth Legislature of Texas, known as House bill No. 694 for a period of twenty-five years, and to provide a penalty for their misapplication and declaring an emergency."

The bill was read third time and was passed.

COMMUNICATION FROM PRESIDENT WILSON.

The Speaker laid before the House and had read the following communication from President Wilson:

Washington, D. C., March 5, 1921

My Dear Mr. Brown: Mr. Wilson asks me to thank you for your telegram of March 5th, and to tell you how greatly he appreciates the many kind expressions in the resolution by Representative John Davis, concurred in by the Texas Legislature.

He regrets that the multitude of telegrams received makes it impossible for him to acknowledge each one personally.

Yours very cordially,

JOHN RANDOLPH BOLLING.

(Signed)

Mr. N. K. Brown, Chief Clerk, House of Representatives, Austin, Texas.

RELATING TO INTERSTATE COMMERCE COMMISSION.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 25, Relating to the Interstate Commerce Commission.

Whereas, The Interstate Commerce Commission has granted and authorized an enormous increase in all interstate freight and express rates on all rail-

roads, and has enjoined the Attorney General of Texas, the citizens and all courts of Texas, from in any way interfering with said rates so fixed by the Interstate Commerce Commission; and

Whereas, Said freight rates are so high on all perishable freight, especially fruit and truck, as to prohibit the shipment of the same, and when such freight is shipped the entire value of the same, in many instances, is consumed by the freight rate, thereby making said freight rates confiscatory and prohibitive, and entirely destroying the value of such crops; and

Whereas, The fields of South Texas are now literally covered with vegetables left to rot and waste while millions of consumers are prevented from purchasing the same because such exorbitant freight rates making shipping the same impossible; and

Whereas, The orchards and fields of the entire State will soon be overflowing with ripened fruit and vegetables, so much desired by those who can not grow the same, and unless an immediate readjustment of freight, express and refrigeration rates shall be made, greatly reducing the charges against such freight, only disaster can come to the farmers and orchardists of Texas and deprivation to the consumer who is anxious to purchase such products at a reasonable price, ultimately destroying, not only the farming and orchard interests of Texas, but the income to railroads as well; and

Whereas, It is almost impossible for the farmers and orchardists to have a hearing in the city of Washington and to present their claims there because of the long distance and great expense to them, and the intricate and difficult methods of obtaining such hearing; now, therefore, be it

Resolved by the Senate, the House concurring, That the Interstate Commerce Commission be respectfully requested and strongly urged to grant a hearing of the farmers and various organizations representing the farmers, including the East and West Texas Chambers of Commerce, as well as the managers of the railroads handling such freight, at an early date in the city of Dallas, Texas, at which hearing all data relative to the importance of a readjustment and reduction of freight, express and refrigeration rates to points in Texas shall be presented; that such hearing be set at an early date for the reason that such crops are now maturing and will rapidly mature, and unless such adjustment and reduction is made at an early date the entire value of such crops will be destroyed, except

that which can be consumed at home; that the Secretary of the Senate forward to the secretary of the Interstate Commerce Commission a copy of this resolution with request that such Commission at once notify those interested of the date fixed for such hearing by publication, or in such other manner as such Commission may deem proper.

The resolution was read second time and was adopted.

SENATE BILL NO. 278 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 278, A bill to be entitled "An Act making an appropriation of five hundred and fifty thousand (\$550,000) dollars out of funds in the State Treasury not otherwise appropriated, to the Prison Commission of the State of Texas for the purpose of paying the operating expenses of said Prison Commission during the remainder of the present fiscal year and the purchase price of the Blue Ridge Farm and other indebtedness incurred by said Commission under authority of law; providing for the return to the State Treasury of the amounts unused by it out of this appropriation, and declaring an emergency."

The bill was read third time.

Mr. Darroch offered the following amendment to the bill:

Amend caption of Senate bill No. 278 by inserting before the words "and declaring an emergency" the following: "and providing for what purposes said appropriation shall not be used, and to this end further providing that the purchase of the Fort Bend cotton oil mill is not approved or ratified by the Legislature."

The amendment was adopted.

The Clerk was directed to call the roll and the bill was passed by the following vote:

Yeas—68.

Adams.	Crawford.
Barker.	Cummins.
Bass.	Curtis.
Beasley	Darroch.
of McCulloch.	Davis, John E.,
Beavens.	of Dallas.
Black, O. B.,	Davis, John,
of Bexar.	of Dallas.
Black, W. A.,	Duffey.
of Bexar.	Duncan.
Bonham.	Edwards.
Burkett.	Faubion.
Burmeister.	Fly.
Carpenter.	Garrett.
Chitwood.	Hanna.

Harrington.	Rice.
Hill.	Rogers of Harris.
Johnson	Rosser.
of Gillespie.	Seagler.
Jones.	Shearer.
Kellis.	Sims.
Lackey.	Smith.
Lauderdale.	Sneed.
Looney.	Stephens.
McCord.	Stevenson.
McDaniel.	Stewart of Reeves.
McKean.	Swann.
Mathes.	Sweet of Tarrant.
Merriman.	Teer.
Miller of Dallas.	Thompson
Morgan.	of Red River.
Morris of Medina.	Thrasher.
Mott.	Veatch.
Perkins	Walker.
of Cherokee.	Wallace.
Perkins of Lamar.	Westbrook.
Pool.	Williams
Pope.	of Montgomery.
Quaid.	
Quicksall.	

Nays—29.

Aiken.	Martin.
Beasley	Melson.
of Hopkins.	Menking.
Bryant.	Moore.
Burns.	Neblett.
Coffee.	Patman.
Crumpton.	Pollard.
Greer.	Quinn.
Hardin.	Schweppe.
Horton.	Stewart
Johnson	of Edwards.
of Wichita.	Thompson
Kacir.	of Harris.
King.	Wadley.
Kveton.	West.
Laird.	Wright.
Lawrence.	

Absent.

Baldwin.	McFarlane.
Barrett of Bell.	Malone.
Barrett of Fannin.	Miller of Parker.
Binkley.	Morris
Brady.	of Montague.
Branch.	Owen.
Brown.	Perry.
Cox.	Rogers of Shelby.
Dinkle.	Rountree.
Estes.	Rowland.
Fugler.	Satterwhite.
Grissom.	Sweet of Brown.
Hall.	Thomas
Harrison.	of Limestone.
Henderson	Thomason.
of McLennan.	Thorn.
Henderson	Webb.
of Marion.	Wessels.
Hendricks.	Williams
Johnson of Ellis.	of McLennan.
Lindsey.	

Absent—Excused.

Baker.	Leslie.
Childers.	McLeod.
Laney.	Marshall.

SENATE BILL NO. 280 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, S. B. No. 280, A bill to be entitled "An Act to amend Article 610, Chapter 1, Title 18, of the Revised Civil Statutes of Texas of 1911, so as to provide in substance that the county commissioners court shall in addition to being authorized to issue bonds of the county for the erection of the county courthouse and jail, or either, that such commissioners court should also have the power to issue the bonds of said county as provided for in said section for the construction of buildings to be used as schools or homes for dependent and delinquent boys and girls, or for either one or both of said sexes, as said commissioners court might determine; to repeal all laws in conflict herewith, and declaring an emergency."

The bill was read third time.

The Clerk was directed to call the roll and the bill was passed by the following vote:

Yeas—95.

Adams.	Edwards.
Aiken.	Faubion.
Barker.	Fly.
Bass.	Garrett.
Beasley	Greer.
of Hopkins.	Hanna.
Beasley	Hardin.
of McCulloch.	Hill.
Beavens.	Horton.
Black, O. B.,	Johnson
of Bexar.	of Gillespie.
Black, W. A.,	Johnson
of Bexar.	of Wichita.
Bonham.	Jones.
Bryant.	Kacir.
Burkett.	Kellis.
Burmeister.	King.
Burns.	Kveton.
Carpenter.	Lackey.
Chitwood.	Laird.
Coffee.	Lauderdale.
Crawford.	Lawrence.
Crumpton.	Looney.
Cummins.	McCord.
Curtis.	McDaniel.
Darroch.	McKean.
Davis, John E.,	Melson.
of Dallas.	Menking.
Davis, John,	Merriman.
of Dallas.	Miller of Dallas.
Duffey.	Morgan.
Duncan.	Moore.

Morris of Medina.	Stephens.
Mott.	Stevenson.
Neblett.	Stewart
Patman.	of Edwards.
Perkins	Stewart of Reeves.
of Cherokee.	Swann.
Perkins of Lamar.	Sweet of Tarrant.
Pollard.	Teer.
Pool.	Thompson
Pope.	of Harris.
Quaid.	Thompson
Quicksall.	of Red River.
Quinn.	Thrasher.
Rice.	Veatch.
Rogers of Harris.	Wadley.
Rosser.	Walker.
Satterwhite.	Wallace.
Schweppe.	West.
Seagler.	Westbrook.
Shearer.	Williams
Sims.	of McLennan.
Sneed.	Wright.

Present—Not Voting.

Martin.

Absent.

Baldwin.	McFarlane.
Barrett of Bell.	Malone.
Barrett of Fannin.	Mathes.
Brady.	Miller of Parker.
Branch.	Morris
Brown.	of Montague.
Cox.	Owen.
Dinkle.	Perry.
Estes.	Rogers of Shelby.
Fugler.	Rountree.
Grissom.	Rowland.
Hall.	Smith.
Harrington.	Sweet of Brown.
Harrison.	Thomas
Henderson.	of Limestone.
of McLennan.	Thomason.
Henderson	Thorn.
of Marion.	Webb.
Hendricks.	Wessels.
Johnson of Ellis.	Williams
Lindsey.	of Montgomery.

Absent—Excused.

Baker.	Leslie.
Binkley.	McLeod.
Childers.	Marshall.
Laney.	

SENATE BILL NO. 296 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, S. B. No. 296, A bill to be entitled "An Act providing that when any bank which is a county, city or district depository for public funds under the laws of this State, suspends business, or is taken charge of by the Comptroller of

the Currency or the Commissioner of Insurance and Banking, that the lawful county, city or district authorities authorized to select a depository in the first instance shall have the discretion and authority to select by contract a special depository for the public funds in suspended bank; declaring that such special depository shall assume the payment of such public funds, and it shall pay the same to the designated public authority in accordance with the contract; defining the terms of the contract, making provisions with reference thereto; providing that performance of the contract and payment of all funds described therein shall be secured by bond to be given by the special depository, with the same character of sureties as is required for regular depository bonds; providing for the approval of such special depository contracts and bonds, etc., and declaring an emergency."

The bill was read third time.

The Clerk was directed to call the roll, and the bill was passed by the following vote:

Yeas—101.

Adams.	Hanna.
Aiken.	Hardin.
Barker.	Harrington.
Bass.	Henderson
Beasley	of McLennan.
of Hopkins.	Hill.
Beasley	Horton.
of McCulloch.	Johnson
Beavens.	of Gillespie.
Black, O. B.,	Johnson
of Bexar.	of Wichita.
Black, W. A.,	Jones.
of Bexar.	Kacir.
Bonham.	Kellis.
Bryant.	King.
Burkett.	Kveton.
Burmeister.	Lackey.
Burns.	Laird.
Carpenter.	Lauderdale.
Chitwood.	Lawrence.
Coffee.	Looney.
Crawford.	McCord.
Crumpton.	McDaniel.
Cummins.	McKean.
Curtis.	Martin.
Darroch.	Mathes.
Davis, John E.,	Melson.
of Dallas.	Menking.
Davis, John,	Merriman.
of Dallas.	Miller of Dallas.
Duffey.	Morgan.
Duncan.	Moore.
Edwards.	Morris of Medina.
Faubion.	Mott.
Fly.	Neblett.
Garrett.	Patman.
Greer.	

Perkins	Stewart
of Cherokee.	of Edwards.
Perkins of Lamar.	Stewart of Reeves.
Pollard.	Swann.
Pool.	Sweet of Tarrant.
Pope.	Teer.
Quaid.	Thomason.
Quicksall.	Thompson
Quinn.	of Harris.
Rice.	Thompson
Rogers of Harris.	of Red River.
Rosser.	Thrasher.
Satterwhite.	Veatch.
Schweppe.	Wadley.
Seagler.	Walker.
Shearer.	Wallace.
Sims.	West.
Smith.	Westbrook.
Sneed.	Williams
Stephens.	of McLennan.
Stevenson.	Wright.

Absent.

Baldwin.	McFarlane.
Barrett of Bell.	Malone.
Barrett of Fannin.	Miller of Parker.
Binkley.	Morris
Brady.	of Montague.
Branch.	Owen.
Brown.	Perry.
Cox.	Rogers of Shelby.
Dinkle.	Rountree.
Estes.	Rowland.
Fugler.	Sweet of Brown.
Grissom.	Thomas
Hall.	of Limestone.
Harrison.	Thorn.
Henderson	Webb.
of Marion.	Wessels.
Hendricks.	Williams
Johnson of Ellis.	of Montgomery.
Lindsey.	

Absent—Excused.

Baker.	Leslie.
Childers.	McLeod.
Laney.	Marshall.

REPORT OF FREE CONFERENCE COMMITTEE ON SENATE BILL NO. 7.

Mr. Seagler called up, for consideration at this time, the following report:

Committee Room,
Austin, Texas, March 3, 1921.

Hon. Lynch Davidson, President of the Senate, and Hon. Charles G. Thomas, Speaker of the House of Representatives.

Gentlemen: We, your conference committee appointed by your respective bodies to consider the amendments of the House to Senate bill No. 7, have

had same under consideration and beg to report that the Senate agrees to the House amendments as follows:

Amend Senate bill No. 7 by adding Section 3, as follows:

Section 3. Any person who shall use any automobile, truck or other motor vehicle owned by the State of Texas, for any purpose except in the transaction of business for the State of Texas, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined any sum not less than \$5.00 nor more than \$500.00 dollars.

Also amend the caption to Senate bill No. 7 by inserting after the word "designated," in line 26, the following: "And providing a penalty for the use of any such vehicle for any purpose except in the transaction of business for the State of Texas."

HALL,
COUSINS,
FAIRCHILD,
BUCHANAN,

On the part of the Senate.

SEAGLER,
WRIGHT,
STEVENSON,
DARROCH,
LACKEY,

On the part of the House.

On motion of Mr. Seagler, the report was adopted.

HOUSE BILL NO. 324 WITH SENATE AMENDMENTS.

Mr. Adams called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 324, A bill to be entitled "An Act authorizing the Polytechnic Heights Independent School District No. 42 of Tarrant county to levy and collect taxes, for issuance of bonds to the amount not to exceed fifty cents on the one hundred dollar valuation, declaring an emergency, and the repeal of all laws conflicting with any part of this act."

On motion of Mr. Adams, the House concurred in the Senate amendments.

ADJOURNMENT.

On motion of Mr. Johnson of Wichita, the House, at 10:35 o'clock p. m., adjourned until 9:30 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following standing committees filed favorable reports today on bills, as follows:

Counties: Senate bill No. 174.

Agriculture: Senate bill No. 282.

Judicial Districts: Senate bill No. 61.

Conservation and Reclamation: Senate bills Nos. 210 and 318.

Education: Senate bill No. 306.

Common Carriers: Senate bill No. 263.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, March 10, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 478, A bill to be entitled "An Act to establish and maintain a State School of Correspondence at Austin, Texas; to provide all courses of study by correspondence that supply the need of Texas people; to provide for the appointment of an executive board for same, and prescribe for the appointment of members of the faculty; prescribing their duties, and provide for the salaries of members of said faculty, and declaring an emergency."

And find the same correctly engrossed.
SNEED, Chairman.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

Committee Room,

Austin, Texas, March 9, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 38, Relating to rooms provided for Lieutenant Governor and Speaker of the House.

Have carefully compared same and find it correctly enrolled, and have this day, at 11:15 o'clock a. m., presented same to the Governor for his approval.
FAUBION, Chairman.

Committee Room,

Austin, Texas, March 10, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 491, A bill to be entitled "An Act creating the Three Rivers Independent School District in Live Oak county, Texas; providing its bounda-

ries; providing for the annexation of territory; providing that the present board of trustees may continue in office until the expiration of their respective terms; validating bond and tax elections hereinbefore held; placing the said district and trustees under the general law governing independent school districts; placing the district under the direct supervision of the State Superintendent and State Board of Education; authorizing the trustees to select its officers, including its depository; delegating certain powers to these officials; providing for the custody of the funds and school property of the present district; repealing all laws in conflict herewith, and declaring an emergency."

Have carefully compared same and find it correctly enrolled, and have this day, at 3:30 o'clock p. m., presented same to the Governor for his approval.

FAUBION, Chairman.

FORTIETH DAY.

(Friday, March 11, 1921.)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Thomas.

The roll was called and the following members were present:

Adams.	Davis, John E.,
Aiken.	of Dallas.
Baker.	Davis, John,
Barker.	of Dallas.
Barrett of Bell.	Dinkle.
Barrett of Fannin.	Duffey.
Bass.	Duncan.
Beasley	Edwards.
of Hopkins.	Faubion.
Beasley	Fly.
of McCulloch.	Garrett.
Beavens.	Greer.
Black, O. B.,	Grissom.
of Bexar.	Hall.
Black, W. A.,	Hanna.
of Bexar.	Harrington.
Bonham.	Henderson
Branch.	of McLennan.
Bryant.	Henderson
Burkett.	of Marion.
Burmeister.	Hendricks.
Burns.	Hill.
Carpenter.	Horton.
Chitwood.	Johnson
Coffee.	of Gillespie.
Cox.	Johnson of Ellis.
Crawford.	Jones.
Crumpton.	Kacir.
Cummins.	Kellis.
Curtis.	King.
Darroch.	Kveton.

Lackey.	Rowland.
Laird.	Satterwhite.
Lauderdale.	Schweppe.
Lawrence.	Seagler.
Lindsey.	Shearer.
Looney.	Sims.
McCord.	Smith.
McDaniel.	Sneed.
McKean.	Stephens.
Martin.	Stevenson.
Melson.	Stewart
Menking.	of Edwards.
Merriman.	Stewart of Reeves.
Miller of Dallas.	Swann.
Miller of Parker.	Sweet of Brown.
Morgan.	Sweet of Tarrant.
Moore.	Teer.
Morris of Medina.	Thomas
Morris	of Limestone.
of Montague.	Thomason.
Mott.	Thompson
Neblett.	of Harris.
Owen.	Thompson
Patman.	of Red River.
Perkins	Thorn.
of Cherokee.	Thrasher.
Perkins of Lamar.	Veatch.
Perry.	Wallace.
Pollard.	Webb.
Pope.	Wessels.
Quaid.	West.
Quicksall.	Westbrook.
Quinn.	Williams
Rice.	of McLennan.
Rogers of Harris.	Williams
Rogers of Shelby.	of Montgomery.
Rosser.	Wright.
Rountree.	

Absent.

Baldwin.	Harrison.
Binkley.	Johnson
Brady.	of Wichita.
Brown.	Malone.
Estes.	Pool.
Fugler.	Wadley.
Hardin.	Walker.

Absent—Excused.

Childers.	McLeod.
Laney.	Marshall.
Leslie.	Mathes.
McFarlane.	

A quorum was announced present. Prayer was then offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of sickness:

Mr. McFarlane for today, on motion of Mr. Merriman.

Mr. Mathes for today, on motion of Mr. Pollard.